DOCUMENT RESUME

ED 253 308 PS 014 826

TITLE	Missing Children's Assistance Act of 1983. Report of the Committee on the Judiciary, United States Senate on S. 2014. Ninety-Eighth Congress, Second Session (May 25, 1984).
INSTITUTION	Congress of the U.S., Washington, D.C. Senate Committee on the Judiciary.
REPORT NO	Senate-R-98-499
PUB DATE	25 May 84
NOTE	74p.
PUB TYPE	Legal/Legislative/Regulatory Materials (090)
EDRS PRICE	MF01/PC03 Plus Postage.
DESCRIPTORS	*Children; *Federal Legislation; *Government Role; History; *Runaways; *Social Problems
IDENTIFIERS	Abductions; *Amendments; Child Protective Services; Congress 98th; Department of Justice; Juvenile Justice Delinquency Prevention Act 1974; Legislative History; Legislative Intent; Legislative Voting; *Missing Childrens Assistance Act; Missing Persons; Reauthorization Legislation; Runaway and Homeless Youth Act 1974

ABSTRACT

This report provides the text of and materials related to the Missing Children's Assistance Act of 1983 (S.2014), a bill reauthorizing and amending: (1) the Juvenile Justice and Delinquency Prevention Act of 1974 to provide for assistance in locating missing children; and (2) the Runaway and Homeless Youth Act. Sections of the bill focus on findings, definitions, administrative duties and functions, grants, advisory board formation, and criteria for grants. These discussions are followed by sections delineating the purpose and history of the legislation. The next sections present amendments to the bill and provide an analysis of its provisions. Briefly included in subsequent sections are a regulatory impact statement, a record of the committee vote, and mention of the Congressional Budget Office cost estimate. A substantial portion of the report provides the views of the United States Department of Justice on the bill. The department's proposed amendment in the nature of a substitute would incorporate provisions of the Senate's Title VI of S.1972 into the House of Representative's H.R. 2175; it also provides for a federal program within the Department of Justice as contained in S.2014. The concluding section of the report specifies changes in existing law made by S.2014. (RH)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

Calendar No. 943

98TH CONGRESS 2d Session	SENATE	REPORT 98-499

MISSING CHILDREN'S ASSISTANCE ACT OF 1983

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

X This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

REPORT

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

ON

S. 2014

MAY 25, 1984.—Ordered to be printed

Filed under authority of the order of the Senate of May 11 (legislative day, April 30), 1984

Printed for the use of the Committee on the Judiciary

U.S. GOVERNMENT PRINTING OFFICE

31-010 O WASHINGTON : 1984

EOS23308

COMMITTEE ON THE JUDICIARY

STROM THURMOND, South Carolina, *Chairman*

CHARLES McC. MATHIAS, Jr., Maryland	JOSEPH R. BIDEN, Jr., Delaware
PAUL LAXALT, Nevada	EDWARD M. KENNEDY, Massachusetts
ORRIN G. HATCH, Utah	ROBERT C. BYRD, West Virginia
ROBERT DOLE, Kansas	HOWARD M. METZENBAUM, Ohio
ALAN K. SIMPSON, Wyoming	DENNIS DeCONCINI, Arizona
JOHN P. EAST, North Carolina	PATRICK J. LEAHY, Vermont
CHARLES E. GRASSLEY, Iowa	MAX BAUCUS, Montana
JEREMIAH DENTON, Alabama	HOWELL HEFLIN, Alabama
ARLEN SPECTER, Pennsylvania	

VINTON DEVANE LIDE, *Chief Counsel and Staff Director*
DEBORAH K. OWEN, *General Counsel*
DEBORAH G. BERNSTEIN, *Chief Clerk*
MARK H. GITENSTEIN, *Minority Chief Counsel*

SUBCOMMITTEE ON JUVENILE JUSTICE

ARLEN SPECTER, Pennsylvania, *Chairman*

JEREMIAH DENTON, Alabama	HOWARD M. METZENBAUM, Ohio
CHARLES McC. MATHIAS, Jr., Maryland	EDWARD M. KENNEDY, Massachusetts

MARY LOUISE WESTMORELAND, *Counsel*
ELLEN BROADMAN, *Minority Chief Counsel*

CONTENTS

	Page
I. Text of S. 2014 as reported	1
II. Purpose	8
III. History of legislation	8
IV. Statement	8
V. Amendments	13
VI. Section-by-section analysis	15
VII. Regulatory impact statement	18
VIII. Vote of committee	18
IX. Congressional Budget Office cost estimate	19
X. Agency views	21
XI. Changes in existing law	58

Calendar No. 943

98TH CONGRESS 2d Session | SENATE | REPORT 98-499

MISSING CHILDREN'S ASSISTANCE ACT OF 1983

MAY 25, 1984.—Ordered to be printed

Filed under authority of the order of the Senate of May 11 (legislative day, April 30), 1984

Mr. THURMOND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2014]

The Committee on the Judiciary, to which was referred the bill (S. 2014) to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide for assistance in locating missing children, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

I. TEXT OF S. 2014 AS REPORTED

A BILL to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide for assistance in locating missing children

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Missing Children's Assistance Act of 1983".

SEC. 2. The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601), is amended by adding at the end of title I thereof the following new part:

"PART E—MISSING CHILDREN

"FINDINGS

"SEC. 271. The Congress finds that—

"(1) over one million children are missing from their homes each year;

"(2) thousands of these children are abducted under circumstances which immediately place them in grave danger;

31-910 O

"(3) many of these children are never reunited with their families;

"(4) often, there are no clues as to the whereabouts of these children;

"(5) many missing children are at great risk of both physical harm and sexual exploitation;

"(6) of the over three thousand unidentifiable bodies that are discovered annually, hundreds are children;

"(7) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

"(8) abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

"(9) on frequent occasions, law enforcement authorities quickly exhaust all leads in missing children cases, and require assistance from distant communities where the child may be located; and

"(10) Federal assistance is urgently needed to coordinate and assist in this interstate problem.

"DEFINITION

"SEC. 272. For purposes of this part the term 'missing child' means—

"(1) any individual thirteen years of age or younger whose whereabouts are unknown to his legal custodian; or

"(2) any individual less than eighteen years of age whose whereabouts are unknown to his legal custodian if—

"(A) the circumstances surrounding such individual's disappearance indicate that such individual may have been removed by another from the control of his legal custodian without the custodian's consent, or

"(B) credible evidence indicates that the individual is likely to be abused or sexually exploited.

"DUTIES AND FUNCTIONS OF ADMINISTRATOR

"SEC. 273. (a) The Administrator—

"(1) may prescribe such rules as he considers necessary or appropriate to carry out the purposes of this part,

"(2) shall make such arrangements as may be necessary or appropriate to ensure that there is effective coordination among all federally funded programs related to missing children, and

"(3) shall provide adequate staff and agency resources which are necessary to properly carry out his responsibilities pursuant to this part.

"(b) The Administrator shall, by making grants to, or entering into contracts with, public agencies or nonprofit organizations (or combination thereof), provide for programs—

"(1) to establish and maintain a national toll-free telephone line where individuals may report information regarding the location of missing children;

"(2) to establish and maintain a national resource center and clearinghouse to—

"(A) provide technical assistance to local and State governments, law enforcement agencies, public and private nonprofit agencies and individuals in locating and recovering missing children;

"(B) coordinate public and private efforts to locate and recover missing children;

"(C) nationally disseminate information on innovative missing childrens' programs, services, and legislation; and

"(D) provide technical assistance to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private non-profit agencies, and individuals in the prevention, investigation, prosecution and treatment of the missing or exploited child case; and

"(3) to periodically conduct national incidence studies to determine the actual number of children reported missing each year, the number of children who are victims of stranger abductions, the number of children who are the victims of parental kidnappings, and the number of missing children who are recovered each year.

"(c) The Administrator shall compile, analyze, publish, and disseminate an annual summary of recently conducted research, and research currently being conducted, on missing children, as well as prepare, in conjunction with the Advisory Board on Missing Children, an annual comprehensive plan for assuring cooperation and coordination among all agencies and organizations with responsibilities related to missing children.

"GRANTS

"SEC. 274. (a) The Administrator is authorized to make grants to, and enter into contracts with, public agencies or nonprofit private organizations, or combinations thereof, for research, or demonstration or service programs designed—

"(1) to educate parents, children, and community agencies in ways to prevent the abduction or sexual exploitation of children;

"(2) to assist in the recovery or tracking of missing children;

"(3) to aid communities in the collection of materials which would be useful to parents in the identification of their children;

"(4) to increase knowledge of the psychological consequences, on both parents and children, of—

"(A) the abduction of a child, both during the period of disappearance and after the child is recovered; and

"(B) the sexual exploitation of a child; and

"(5) to collect detailed data from selected States or localities on the actual investigative practices utilized by law enforcement agencies in missing children's cases.

"(b) In considering grant applications under this part, priority shall be given to applicants who—

"(1) have demonstrated ability in—

"(A) locating missing children and reuniting them with their families; or

"(B) providing other services to missing children or their families; and

"(2) substantially utilize volunteer assistance.

"ADVISORY BOARD

"SEC. 275. (a) The Administrator shall, within ninety days after the date of enactment of this part, appoint an Advisory Board of Missing Children (hereinafter referred to as the 'Advisory Board'), which shall meet periodically. Such Board shall be comprised of five members of the general public within experience or expertise related to missing children. The Advisory Board shall assist the Administrator in coordinating programs and activities related to missing children which are planned, administered, or assisted by any Federal agency.

"(b) The Advisory Board shall assist in the preparation of the annual comprehensive plan on missing children developed pursuant to section 273(c) and shall submit the first annual plan to the President and Congress not later than eighteen months after the date of enactment of this section.

"(c) Members of the Advisory Board shall be entitled, for each day such member is engaged in the actual performance of his or her duties as a member of the Board, to be paid at a rate not in excess of the daily equivalent rate of pay payable to a GS–8 employee under section 5332 of title 5, United States Code, including traveltime. All members of the Board shall be reimbursed for travel (including per diem in lieu of subsistence) as authorized by section 5703 of such title, subsistence, and other necessary expenses incurred by them in the performance of their duties.

"CRITERIA FOR GRANTS

"SEC. 276. The Administrator, in consultation with the Advisory Board on Missing Children, shall establish annual research, demonstration, and service program priorities for making grants or contracts pursuant to section 274 and, not less than sixty days before establishing such priorities, shall publish in the Federal Register for public comment a statement of such proposed priorities.".

SEC. 3. To carry out the provisions of this Act, there are authorized to be appropriated $10,000,000 for each of the fiscal years ending September 30, 1984, September 30, 1985, September 30, 1986, and September 30, 1987.

SEC. 4. Section 207(a) of the Juvenile Justice and Deliquency Prevention Act of 1974 (42 U.S.C. 5617(a)) is amended in paragraph 2 by inserting "the family," after "problems of".

SEC. 5. Section 221(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)) is amended as follows:

(1) paragraph (3) subparagraph (C) is amended as follows:

"(C) which shall include (i) representatives of private organizations, including those with a special focus on maintaining and strengthening the family unit, those concerned with delinquency prevention and treatment and with neglected or dependent children, and those concerned with

the quality of juvenile justice, education, or social services for children; (ii) representatives of organizations which utilize volunteers to work with delinquents or potential delinquents; (iii) representatives of community based delinquency prevention or treatment programs; (iv) representatives of business groups or businesses employing youth; (v) youth workers involved with alternative youth programs; and (vi) persons with special experience and competence in addressing the problems of the family, school violence and vandalism, and learning disabilities,".

(2) Paragraph (10) is amended as follows:

(A) in subparagraph (F) by inserting "and their families" before the semicolon at the end thereof, and

(B) in subparagraph (H)—

(i) in clause (iii) by striking out "or" at the end thereof, and

(ii) in clause (iv) by inserting "or" at the end thereof, and

(iii) by adding at the end thereof the following new clause:

(v) involve parents and other family members in addressing the delinquency-related problems of juveniles;",

(3) by redesignating paragraphs (17), (18), (19), (20), (21) and (22) as paragraphs (18), (19), (20), (21), (22), and (23), respectively, and

(4) by inserting after paragraph (16) the following new paragraph:

"(17) provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen and maintain the family units of delinquent and other youth to prevent juvenile delinquency. Such approaches should include the involvement of grandparents or other extended family members when possible and appropriate;".

SEC. 6. (a)(1) The first sentence of section 223(a)(10) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)(10)) is amended by—

(A) striking out "programs for juveniles" and inserting in lieu thereof "programs for juveniles, including those processed in the criminal justice system,"; and

(B) striking out the period at the end thereof and inserting in lieu thereof ", and to facilitate the coordination of services between the juvenile justice and criminal justice systems.".

(2) Section 223(a)(10)(J) of the Juvenile Justice and Delinquency Act of 1974 (42 U.S.C. 5633(a)(10)(J)) is amended by striking out "juvenile gangs and their members" and inserting in lieu thereof "gangs whose membership is substantially composed of juveniles".

(b)(1) Section 224(a)(12) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5634(a)(12)) is amended by—

(A) inserting ", including those processed in the criminal justice system," after "prevention and treatment programs relating to juveniles"; and

(B) inserting "and facilitate the coordination of services between the juvenile and criminal justice systems" after "who commit serious crimes".

(2) Section 224(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5634(a)) is amended by—

(A) striking out "and" after the semicolon in clause (11);

(B) striking out the period at the end of clause (12) and inserting in lieu thereof "; and"; and

(C) inserting at the end thereof the following:

"(13) develop and implement programs designed to deter involvement in illegal activities or to promote involvement in lawful activities on the part of gangs whose membership is substantially composed of juveniles.".

(c) Section 243(5) of the Juvenile Justice and Deliquency Prevention Act of 1974 (42 U.S.C. 5653(5)) is amended by—

(1) inserting a dash after "including";

(2) designating the matter that follows the dash as clause (A);

(3) adding at the end thereof the following:

"(B) an examination of the treatment of juveniles processed in the criminal justice system; and

"(C) recommendations as to effective means for detering involvement in illegal activities or promoting involvement in lawful activities on the part of gangs whose membership is substantially composed of juveniles.".

SEC. 7. Section 223. (a)(12)(A) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)(12)(A)) is amended to read as follows:

"(12)(A) provide within three years after submission of the initial plan that—

(i) juvenile nonoffenders such as dependent or neglected children shall not be placed in secure detention facilities or secure correctional facilities; and

(ii) juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult or offenses which do not constitute violations of valid court orders shall not be placed in secure detention facilities or secure correctional facilities except that the short-term emergency placement in a public or private secure juvenile residential facility of certain of these juveniles may be ordered by the court if the court finds, based on clear and convincing evidence that: (a) the physical safety of the juvenile is in serious danger, and (b) there is no less restrictive alternative placement available which would adequately safeguard the welfare of the juvenile, provided that a judicial determination is held within 24 hours and that the juvenile is either released or diverted to a non-secure community-based alternative within 5 calendar days;

(B) provide that pursuant to subparagraph (A)(ii) the State advisory group must evaluate the secure juvenile residential facilities in the State which are available to carry out the purposes of this subparagraph every six months to determine whether they provide acceptable shelter care and services to safeguard the welfare of these juveniles; juveniles shall not be

held pursuant to subparagraph (A)(ii) in a facility which is not deemed appropriate for such a purpose.

SEC. 8. Section 223. (a)(12)(B) shall be amended by substituting "C" for "B", by substituting "," for "and" after "* * * subparagraph (A)", and by inserting after "* * * section 103(1)" the following, ", and a report on the number of juveniles held under subparagraph (A)(ii), including the length of confinement and final case disposition".

SEC. 9. The last sentence of section 223(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(c)) is amended by striking out "not to exceed 2 additional years" and inserting in lieu thereof "not to exceed 3 additional years.".

SEC. 10. Section 241(d) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651(d)) is amended to read as follows:

"(d) It shall be the purpose of the Institute to provide—

"(1) a coordinating center for the collection, preparation, and dissemination of useful data regarding the prevention and treatment of juvenile delinquency; and

"(2) appropriate training (including training designed to strengthen and maintain the family unit) for representatives of Federal, State, local law enforcement officers, teachers and special education personnel, family counselors, child welfare workers, juvenile judges and judicial personnel, probation personnel, correctional personnel (including volunteer lay personnel), persons associated with law-related education, youth workers, and representatives of private agencies and organizations with specific experience in the prevention and treatment of juvenile deliquency.

SEC. 11. Section 243 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 US.C. 5653) is amended in paragraph (5) by striking out "relationships, recreation, and".

SEC. 12. Section 12 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 US.C. 5654) is amended in paragraph (1) by striking out "and juvenile offenders" and inserting in lieu thereof ", juvenile offenders, and their families".

SEC. 13. Section 261(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671(a)) is amended by striking out all after "ending" through ", and" and inserting after "1984" the following: ", September 30, 1985, September 30, 1986, September 30, 1987, and September 30, 1988".

SEC. 14. (a) Section 311(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5711(a)) is amended by inserting "and their families" before the period at the end thereof.

(b) Section 311(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5711(b)) is amended by inserting "and to the families of such juveniles" before the period at the end thereof.

SEC. 15. Section 312(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5712) is amended as follows:

(1) in paragraph (5) by striking out "parents" and inserting in lieu thereof "families", and

(2) in paragraph (6) by striking out "parents" and inserting in lieu thereof "family members".

SEC. 16. (a) Section 311(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5711(a)) is amended in the first sentence by striking out "nonprofit private agencies and coordinated networks of such agencies" and inserting in lieu thereof "private entities and coordinated networks of such entities".

(b) Section 313 of such Act (12 U.S.C 5713) is amended in the first sentence by striking out "nonprofit private agency" and inserting in lieu thereof "private entity".

(c) Section 314 of such Act (42 U.S.C. 5714) is amended in the first sentence and in the caption by striking out "nonprofit private agencies" and inserting in lieu thereof "private entities".

SEC. 17. Section 341(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5751(a)), as amended by Title XV, §1503 of P.L. 97-35, is amended by striking out all after "ending" through ", and" and inserting after "1984" the following:

", September 30, 1985, September 30, 1986, September 30, 1987, and September 30, 1988".

II. PURPOSE

(1) The Missing Children's Assistance Act:

(a) provides Federal leadership and assistance in addressing the problem of missing and exploited children by directing that the Administrator of the Office of Juvenile Justice and Delinquency Prevention to fund programs to aid in the recovery of missing children and in the prevention of child abductions.

(b) reauthorizes the Juvenile Justice and Delinquency Prevention Act through September 30, 1988 with certain amendments; and

(c) reauthorizes the Runaway and Homeless Youth Act through September 30, 1988.

III. HISTORY OF LEGISLATION

S. 2014 was introduced by Senator Specter and Senator Hawkins on October 27, 1983. Hearings were held before the Subcommittee on Juvenile Justice of the Committee on the Judiciary on February 7, 21, and on March 8, 13, and 21. On March 8, 1984, S. 2014 was reported favorably to the Committee on the Judiciary. The Committee on the Judiciary considered S. 2014 on May 10, 1984, and unanimously ordered that the bill with amendments be reported favorably.

IV. STATEMENT

A. MISSING CHILDREN

The problem of missing and runaway children is one of National dimension. According to recent statistics, approximately one and a half million children are reported missing each year. Of these, 20,000 to 50,000 disappear each year and their cases remain unsolved, some forever, while about 100,000 are feloniously abducted in violation of custody orders. The United States Department of Health and Human Services currently estimates that there are about one million runaway children a year.

Although many of these children are returned safely to their parents, a growing number become victims of street life and adult criminal activity. Each year, at least 3,000 individuals are buried unidentified; hundreds of these are children.

A missing child falls within the primary jurisdiction of local law enforcement. However, the problem is one which cannot be adequately addressed by purely local or even State efforts since many missing children are removed from their homes to distant areas, frequently crossing state lines. Federal coordination and leadership are required.

The Missing Children's Assistance Act of 1983 (S. 2014) would provide this leadership by authorizing the Administrator of the Office of Juvenile Justice to make grants and enter into contracts to assist state, local, and individual entities working to locate and return missing children. First, the Act establishes and maintains a National toll-free telephone line for the reporting of information regarding the location of missing children. Second S. 2014 creates a national resource center and clearinghouse to provide technical assistance to state and local governments, law enforcement agencies, and individuals in locating and recovering missing children. The purposes of this center are to coordinate public and private searches for children, as well as to make information available nationally regarding missing children's programs, services, and legislation. Finally, the Act would authorize the Administrator to fund other programs designed to prevent child abductions.

The need for an increased Federal effort in the search for missing children has been documented by the National media over the past several years. The widely reported abductions and murders of children in Atlanta alarmed communities throughout the country and prompted a National debate on the issue of victimization of juveniles in our society. The ordeals of individual children and their families have also been given increasing national attention. Since the disappearance of their six-year-old son, Etan, in 1979, the Patz family from New York City has received extensive coverage and assistance from the media in their still unsuccessful efforts to locate their child. The tragedy of Adam Walsh, a Hollywood, Florida, child abducted from his parents and later found brutally murdered, was recently dramatized in the television film "Adam". This increasing media coverage of the plight of missing children and their families represents a growing perception that the problem is National in scope and gravity.

The need for a centralized informational agency such as S. 2014 proposes, was most dramatically demonstrated in the events surrounding the nationally televised airing of "Adam". Immediately following the film, the network provided a two-minute screening of the pictures of currently missing children and provided a toll-free telephone hotline for viewers who believed they could identify any of the children. In her testimony before the Senate Subcommittee on Juvenile Justice, Linda Otto, producer of the film, described the response:

> When the missing child roll call ended, Child Find's "800" number filled the screen for 10 seconds . . . there was a moment of silence . . . and then suddenly every

phone line lit up at once. There were approximately 150 calls per hour for 3 days. The phones didn't stop after that but the number of calls began to decrease. There were over 1,000 identifications on 55 missing children.

Within several weeks after the broadcast, 13 of the 55 missing children pictured in the epilogue (in addition to a brother and sister) were recovered. The "Adam" experiment represents both the demand and potential for a National telephone service and a centralized information agency to assist in searches for missing children.

The need for greater Federal coordination has been expressed by State and local groups established to assist in the location of missing children. The Congressional Research Service currently lists only 20 organizations which provide information and services in the area of missing children. Along with counseling for victimized parents and families, several of these organizations include a toll-free hotline among their available services. State and county agencies, such as the Kentucky Task Force on Exploited and Missing Children, have attempted to utilize and coordinate Federal and local efforts to recover missing children and prosecute their abductors. Some communities have initiated the fingerprinting of school children to have identification records to assist State and Federal investigators in the event of an abduction.

These local efforts, while providing a valuable foundation which to build Federal efforts, are not adequate to address the problem. As Mitch McConnell, Chairman of the Kentucky Task Force on Exploited and Missing Children, testified at the Subcommittee's February 21 hearing, "Communities such as mine and states such as Kentucky are attempting to do all that they can to assist missing children and better protect all children from exploitation and abuse. There is a point, however, beyond which we cannot go and where our resources cannot reach. The National toll-free telephone line and National resource center and clearinghouse, that you propose, picks up where our work leaves off the will go a long way toward plugging the holes and gaps in the system. . . ."

B. JUVENILE JUSTICE

The Juvenile Justice and Delinquency Prevention Act of 1974 (P.L. 93-414), as amended, established the Office of Juvenile Justice and Delinquency Prevention within the Law Enforcement Assistance Administration (LEAA) at the United States Departmemt of Justice to provide Federal leadership, coordination, and assistance necessary to develop and implement effective programs at the State and local community level for the prevention and treatment of juvenile delinquency.

Other provisions of the 1974 Act included the creation of a Federal Coordinating Council to coordinate Federal policy in the area of juvenile delinquency prevention; a National Advisory Committee to provide citizen input and, a National Institute to conduct training, evaluations, research and demonstration projects. The Act further provided for formula block grants to States and localities in combination with "special emphasis" categorical grants. States would voluntarily participate in the block grant program, but, if they did

so, they would agree to work toward achieving the goals of removing abused and neglected children and juveniles who had committed acts that would not be considered criminal if committed by adults from secure detention facilities and of ensuring the juveniles detained or incarcerated in correctional facilities have no regular contact with adults convicted of criminal charges or awaiting trial on such charges.

In 1977, the Act was reauthorized through 1980. In 1980, the Act was again reauthorized for four additional years. In addition, amendments passed in 1980 established the Office of Juvenile Justice and Delinquency Prevention as separate administrative entity from LEAA under the general authority of the Attorney General. The establishment of OJJDP as a separate administrative entity was to ensure there existed within the Federal budget a separate line item for programs and services mandated in the Act. Congressional concerns about carrying out oversight and holding the Presidentially appointed Administrator accountable for implementing the provisions of the Act were also cited. (*Juvenile Justice Amendments of 1980:* Hearings before the House Subcommitteee on Human Resources of the Committte on Education and Labor, 96th Congress, 2d Session (1980) at 343.)

Additionally, 1980 amendments mandated the removal of juveniles from adult jails and lockups by 1985 and included a number of technical and clarifying amendments.

According to testimony provided by Alfred S. Regnery, Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), of the 57 states and territories eligible to participate in the Juvenile Justice and Delinquency Prevention Formula Grant Program, 53 now participate. With the Federal leadership provided through OJJDP, significant progress has been made in fulfilling the Act's principal mandates of (1) deinstitutionalization of status offenders and nonoffenders and (2) removal of juveniles from adult jails and lockups.

However, despite this progress, thousands of children are inappropriately incarcerated each year. According to the OJJDP-funded study based on 1978 figures, entitled, "Juvenile Suicides in Adult Secure Detention Facilities," an estimated 479,000 juveniles continue to be held in adult jails and lockups each year. Of these, approximately 20% are accused of status offenses. ("It's Your Move: Juveniles in Adult Jails and Lockups", 1983 University of Illinois, Reported funded by OJJDP, 1983). Statistics supplied at the Subcommittee hearing on March 21 by Alfred S. Regnery, Administrator of the Office of Juvenile Justice and Deliquency Prevention indicate that the number of youth held "in regular contact with adults" has been reduced to 27,552. This total does not include data from the four non-participating states (Nevada, North Dakota, South Dakota, Wyoming) or from Oklahoma. The number held in adult jails and lockups generally is much higher.

Other estimates of the number of status offenders held in secure facilities annually range from 35,000 to 50,000. (See Testimony of Arnold Sherman, National Director of Camp Fire, Inc., June 21, 1983). Recent statistics supplied by Alfred S. Regnery, Administrator of the Office of Juvenile Justice and Deliquency Prevention indicate that in the 53 participating jurisdictions, 22,833 status of-

fenders are annually held in secure detention. This total would not include juveniles held in the States of Nevada, North Dakota, South Dakota or Wyoming.

Organizations supporting the reauthorization of the Juvenile Justice and Delinquency Prevention Act include:

American Bar Association.
American Legion.
American Psychological Association.
American Public Welfare Association.
American Red Cross.
American Society for Adolescent Psychiatry.
Association of Junior Leagues.
Boy's Clubs of America.
Camp Fire, Inc.
Children's Defense Fund.
Child Welfare League of America, Inc.
Coalition for Law-Related Education.
Cossmho.
Girls' Clubs of America.
Girl Scouts of the U.S.A.
National Assembly.
National Association of Counties.
National Board YWCA of the U.S.A.
National Conference of State Legislatures.
National Congress of Parents and Teachers.
National Council of Jewish Women.
National Governors' Association.
National Network of Runaway and Youth Services.
National Streering Committee of the State Juvenile.
Justice Advisory Groups.
National Youth Work Alliance.
Roosevelt Centennial Youth Project.
United States Catholic Conference.
YMCA of the U.S.A.

C. RUNAWAY AND HOMELESS YOUTH ACT

In 1973, the Secretary of the then United States Department of Health, Education and Welfare established an Intra-Departmental Committee on Runaway Youth. This was in response to National concerns about runaways, escalating numbers of delinquency cases brought into juvenile courts throughout the country, and the determination of the Senate Judiciary Committee to develop an alternative to jailing status offenders. The following year, Congress established the Runaway Youth Program under Title III of the Juvenile Justice and Delinquency Prevention Act of 1974. In 1977, the program was broadened to include homeless youth, and in 1980, the grant funding process was statutorily changed to include a State allocation based on youth population.

The Runaway and Homeless Youth Act provides funds for community-based programs that primarily serve the immediate needs of runaway and homeless youth and their families. The Act authorizes grants for such services as temporary shelter, counseling, and aftercare in settings outside the law enforcement and juvenile jus-

tice systems. The program is administered by the Administration for Children, Youth and Families, within the Office of Human Development Services of the United States Department of Health and Human Services.

In Fiscal Year 1983, Federally-funded runaway and homeless youth centers provided ongoing crisis intervention and shelter care services to approximately 50,000 youth. Another 150,000 yough received one-time counseling or referral services on a "drop-in" basis. (These service levels reflect Fiscal Year 1982 grant awards made late in the fiscal year.)

Approximately fifty percent of the youth who received ongoing services were reunited with their families. Twenty-five percent were placed in other positive living arrangements such as with friends, relatives or in group or foster homes; and 17 percent were placed in other stable living situations such as boarding schools. Only an estimated eight percent returned to the streets.

A GAO report, completed in September 1983, stated that "the youth who were served, the centers' environments, and the services that were provided were generally those that had been anticipated in the statute." It found further that "youth, parents, staff members, and community service personnel were in agreement that the program is important and that its services are useful."

The effectiveness of the services provided by the centers was also documented through interviews conducted by GAO. The report states that 96 percent of the youths, and an equal percentage of parents, thought that the center staff were doing a good job. This appraisal, the GAO found, was echoed by others in the community such as professional service providers, school personnel, and police.

V. Amendments

In Committee, Senator Specter offered a package of nine amendments, cosponsored by Senator Denton.

Amendment 1. Definition of Missing Child

Section 272 was amended to expand the definition of "missing child." As amended, S. 2014 defines "missing child" as "any individual thirteen years of age or younger whose whereabouts are unknown to his legal custodian or any individual less than eighteen whose whereabouts are unknown to his legal custodian if:

(A) the circumstances surrounding such individual's disappearance indicate that such individual may have been removed by another from the control of his legal custodian without the custodian's consent, or

(B) credible evidence indicates that the individual is likely to be abused or sexually exploited.

The bill thus creates an absolute presumption that all missing persons age 13 or younger, including known runaways, are covered by the provisions of S. 2014. Where the circumstances surrounding the disappearance of a youth age 14 to 17 do not demonstrate that the youth voluntarily left home, the youth is covered by S. 2014. In addition, even where a 14- to 17-year-old is known to have voluntarily left home, he will be a "missing child" if credible evidence exists to indicate he is likely to be abused or sexually exploited.

For example, if evidence indicates that a 15-year-old runaway is working as a prostitute, she is covered under the term "missing child."

AMENDMENT 2. SPECIFIC INCLUSION OF LAW ENFORCEMENT AGENCIES

This amendment makes it clear that the national resource center established by S. 2014 is to provide technical assistance to law enforcement agencies and other elements of the criminal justice system (prosecutors, judges, etc.) to assist in the location and recovery of missing children and in the prevention, investigation, prosecution and treatment on the missing child case.

AMENDMENT 3. INCLUSION OF COVERAGE FOR SEXUAL EXPLOITATION

This amendment expands the authority of the Administrator to fund programs designed to prevent the sexual exploitation of children and to increase knowledge of the psychological consequences of sexual exploitation on the child and his or her family.

AMENDMENT 4. CLARIFICATION OF CRITERIA FOR GRANT PRIORITY

This amendment clarifies that organizations which have demonstrated ability in locating missing children and reuniting them with their families will receive the same priority for grants as organizations which have provided other services to missing children.

AMENDMENT 5. ENHANCING FAMILY INVOLVEMENT IN DELINQUENCY PROBLEMS

This amendment incorporates throughout the JJDPA and the Runaway and Homeless Youth Act certain language emphasizing a strong family involvement in delinquency and runaway problems. The incorporation of this language was a direct result of the testimony of Mr. Edward E. Earnest, Executive Director of the Community Intensive Treatment for Youth (C.I.T.Y.) program in Etowah County, Alabama, who noted that he observed a direct correlation between an enhanced family involvement and a decrease in juvenile delinquency.

AMENDMENT 6. SERVICES TO YOUTH TRIED AS ADULTS

This amendment clarifies current law which allows for the expenditure of funds for treatment and rehabilitation services for juvenile offenders who, after being processed in the criminal justice system, are sentenced to a program or facility for juveniles. It does not authorize the expenditure of funds to prosecute juveniles as adults.

It also authorizes funding for proven effective programs like Operation Hardcore in Los Angeles which deter juvenile involvement in gangs through prosecuting both the juvenile members and the adult members who serve as role models to the juveniles. With reference to the composition of the gangs, the term "substantially composed of juveniles" involves both a determination of the numbers of juveniles in the gangs and the degree of involvement in criminal activity.

AMENDMENT 7. URGENT TREATMENT EXCEPTION

This amendment provides a very limited exception to the deinstitutionalization mandate. It would provide that a court may order a status offender held in a secure juvenile residential facility for 5 days if the court finds by clear and convincing evidence that the child is in physical danger and cannot be safeguarded in a less restrictive placement. The sole purpose of this amendment is to provide a mechanism whereby youth who are clearly in crisis situations, may be removed from the situation for the ultimate purpose of providing the youth with appropriate nonsecure placement.

In order to ensure that this youth held under this provision receive appropriate treatment, the amendment requires that the State advisory groups evaluate the juvenile residential facilities available to determine which facilities may house a juvenile detained under this provision. So that use of this exception may be monitored to ensure that it is used in the limited context contemplated, the Amendment requires that the states report data to OJJDP whenever juveniles are so detained.

AMENDMENT 8. DEADLINE EXTENSION FOR STATE COMPLIANCE

This amendment would grant the Administrator discretion to extend the deadline for a state's compliance with the jail removal mandate by three years. This additional extension is intended to allow and encourage those states which are in substantial compliance with the mandate to achieve 100% compliance by 1988.

AMENDMENT 9. PERMITS FOR-PROFIT ENTITIES IN PROGRAMS

This amendment amends provisions under the Runaway and Homeless Youth Act which restrict participation in programs and activities under the Act to public or nonprofit private agencies or organizations, to permit participation in these programs by for-profit by entities as well. Inclusion of for-profit entities is consistent with other HHS operations and should enhance the level of participation under the Act.

VI. Section-by-Section Analysis

Section 1 provides that this Act may be cited as the "Missing Children's Assistance Act of 1983".

Section 2 amends the Juvenile Justice and Delinquency Prevention Act by adding the following new sections:

Section 271 sets out Congressional findings that over one million children are missing from their homes each year; that thousands of these children are abducted under circumstances which immediately place them in grave danger; that many of these children are never reunited with their families; that often, there are not clues as to the whereabouts of these children; that many missing children are at great risk to both physical harm and sexual exploitation; that of the over three thousand unidentifiable bodies that are discovered annually, hundreds are children; that in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts; that abducted children are frequently moved from one locality to an-

other, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts; that on frequent occasions, law enforcement authorities quickly exhaust all leads in missing children cases, and require assistance from distant communities where the child may be located; and that Federal assistance is urgently needed to coordinate and assist in this interstate problem.

Section 272 defines a missing child as any child, thirteen or younger, whose whereabouts are unknown to his legal custodian or any child under eighteen (1) if the child may have been removed by another from the control of his legal custodian without the custodian's consent, or (2) who credible evidence indicates the child is likely to be abused or sexually exploited.

Section 273 sets out the duties and functions of the Administrator.

Section 273(a)(1) provides that the Administrator shall issue such rules as are considered necessary to carry out this title.

Section 273(a)(2) provides that the Administrator shall make arrangements to ensure that there is effective coordination among all Federally funded programs relating to missing children.

Section 273(a)(3) provides that the Administrator shall allocate staff and resources which are adequate to carry out the responsibilities of the title.

Section 273(b)(1) provides that the Administrator, through grants or contracts with public or private non-profit agencies, shall establish and operate a National toll-free telephone line by which individuals may report and receive information regarding the disappearance or location of any missing child and any other information pertinent to reuniting the child with the child's family.

Section 273(b)(2) provides that the Administrator, through grants or contracts with public or private non-profit agencies, shall establish and operate a National resource center and clearinghouse designed to: (A) provide technical assistance to agencies and organizations in locating and recovering missing children; (B) coordinate public and private efforts to locate missing children; (C) disseminate information on innovative and model programs, services, and legislation related to missing and exploited children; and (D) provide technical assistance to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private non-profit agencies, and individuals in the prevention, investigation, prosecution, and treatment of the missing or exploited child case.

Section 273(b)(3) provides that the Administrator, through grants or contracts, shall periodically conduct national incidence studies to determine the number of children reported missing, the number who are victims of stranger abductions, the number who are victims of potential kidnapping and the number recovered.

Section 273(c) provides that the Administrator shall compile, analyze, publish, and disseminate an annual summary describing and evaluating recently completed and ongoing research on missing children, and to prepare an annual comprehensive plan for assuring cooperation and coordination among all agencies and organizations with responsibilities related to missing children.

Section 274(a) provides that the Administrator is authorized to make grants and enter into contracts with public agencies and pri-

vate nonprofit agencies for research, demonstration projects, and service programs designed to: (1) educate parents, children, and community agencies and organizations in ways to prevent the abduction of sexual exploitation of children; (2) assist in locating and returning of missing children; (3) aid communities in the collection of materials which will be useful to parents in identification of their children; (4) increase knowledge of both parents and children resulting from a child's abduction or sexual exploitation; and, (5) collect data on investigative practices used by law enforcement agencies in cases involving missing children.

Section 274(b) provides that, when considering applications for assistance, the Administrator shall give priority to applicants who have demonstrated experience in: (1) locating missing children and reuniting them with their families or providing other services to missing children or the families of missing children; and (2) substantially utilize volunteer assistance.

Section 275(a) establishes a National Advisory Board on Missing Children to be composed of five members who have experience or expertise related to missing children, provides that the Administrator shall make the appointments, and provides that the Advisory Board shall assist the Administrator in coordinating Federal programs and activities related to missing children.

Section 275(b) provides that the Advisory Board shall prepare an annual plan for facilitating cooperation and coordination among all agencies and organizations with responsibilities related to missing children and prescribes when the first such plan shall be delivered to the President and Congress.

Section 275(c) provides for payment and reimbursement of expenses to members of the Advisory Board.

Section 276 provides that the Administrator, in consultation with the Advisory Board, shall establish priorities for making grants or contracts under Section 274 and shall publish those priorities in the Federal Register for public comment not less that 60 days before establishing such priorities.

Section 3 provides for authorization of appropriation of $10,000,000 each fiscal year through 1987.

Section 4 amends Section 207(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDPA) to include "the family."

Section 5 amends Sections 223(a)(3)(C), 223(a)(10)(D)(F), and 223(a)(10)(H) of the JJDPA and adds a new section to be numbered 223(a)(17) for the purpose of including consideration of the role of the family in addressing problems of juvenile delinquency.

Section 6(a)(1)(A) amends Section 223(a)(10) of the JJDPA to include programs relating to juveniles processed in the criminal justice system. Subparagraph (B) includes among the activities authorized by that subsection, programs to facilitate the coordination of services between the juvenile justice system and the adult justice system.

Section 6(a)(2) amends Section 223(a)(6)(J) of JJDPA to authorize programs targeted at gangs whose membership is substantially composed of juveniles.

Section 6(b) amends Section 224(a)(12) of the JJDPA to allow utilization of Special Emphasis funds (1) for juveniles processed in the

criminal justice system; and (2) for programs targeted at gangs whose membership is substantially composed of juveniles.

Section 6(c) amends Section 243(5) of the JJDPA to authorize the National Institute for Juvenile Justice and Delinquency Prevention to prepare an examination of the treatment of juveniles processed in the criminal justice system and to prepere recommendations as to effective means to deter involvement in gangs whose membership is substantially composed of juveniles.

Section 7(A) amends Section 223(a)(12)(A) of JJDPA is amended to provide that State plans may allow for the detention in a juvenile facility of juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult or which do not constitute violations of a valid court order, for a maximum of 5 days, if the court finds by clear and convincing evidence that the physical safety of the juvenile is in danger and that no less restrictive alternative placement is available that would adequately safeguard the juvenile's welfare.

Section 7(B) provides that the State Advisory Group must determine which facilities are available for sheltering juveniles detained pursuant to the preceding provision.

Section 8 requires the states to report to the Administrator date on usage of the provision of Section 7(A).

Section 9 amends Section 223(c) of JJDPA to authorize the Administrator to extend by one year a state's cut-off date for meeting 100% compliance with the removal mandate.

Section 10 amends Section 241(a) of JJDPA to include consideration of the family's role in combatting juvenile delinquency.

Section 11 amends Section 243 of JJDPA to include consideration of families whose membership is substantially composed of juveniles.

Section 12 amends Section 244 of JJDPA to include consideration of families of juveniles offenders.

Section 13 reauthorizes the JJDPA through September 30, 1988 at the level specified in Title XV, § 1503 of P.L. 97-35.

Section 14 amends Sections 311(a) and 311(b) of the Runaway and Homeless Youth Act to include consideration of the families of runaway youth.

Section 15 amends Section 312(b) of the Runway and Homeless Youth Act to substitute "family" for "parents".

Section 16 amends Sections 311(a), 313 and 314 of the Runaway and Homeless Youth Act to include private entities (rather than non-profits) among authorized grantees.

VII. Regulatory Impact Statement

In compliance with paragraph 11, (b), rule XXVI of the Standing Rules of the Senate, the Committee has concluded that the bill will have no regulatory impact.

VIII. Vote of Committee

The Committee voted to favorably report S. 2014 with the Specter-Denton Amendments as indicated:

Yeas	Nays
Strom Thurmond	None
Paul Laxalt	
Orrin G. Hatch	
Robert Dole (by proxy)	
Alan K. Simpson	
John P. East	
Charles E. Grassley	
Jeremiah Denton	
Arlen Specter	
Joseph R. Biden	
Edward M. Kennedy	
Howard M. Metzenbaum	
Dennis DeConcini	
Max Baucus	
Howell Heflin	

(Senator Charles McC. Mathias was absent from the Senate with provision pursuant to Rule VI; if present, he would have voted to favorably report S. 2014)

IX. Congressional Budget Office Cost Estimate

In accordance with paragraph 11(a), Rule XXVI of the Standing Rules on the Senate, the Committee offers the following report of the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, D.C., May 25, 1984.

Hon. Strom Thurmond,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: The Congressional Budget Office has prepared the attached cost estimate for S. 2014, the Missing Children's Assistance Act of 1983.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

Rudolph G. Penner.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 2014.
2. Bill title: Missing Children's Assistance Act of 1983.
3. Bill Status: As ordered reported by the Senate Committee on the Judiciary, May 10, 1984.
4. Bill Purpose: S. 2014 amends the Juvenile Justice and delinquency Prevention Act of 1974 to provide for federal assistance in locating missing children The bill authorizes the Administrator of the Office of Juvenile Justice and Deliquency Prevention (OJJDP) to make grants and enter into contracts with public or nonprofit private agencies to establish a national toll-free telephone line for reporting information regarding mission children and to establish a national resource center to provide information and assistance to state and local governments and others engaged in locating missing

children. The Administrator shall also publish an annual summary of recent research related to missing children. To carry out the missing children provisions in the bill, $10 million per year is authorized to be appropriated for fiscal years 1984 through 1987. The bill authorizes the appropriation of $75 million for the OJJDP, and $25 million for the Runaway Youth Act, for each of the fiscal years 1985 through 1988.

5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1984	1985	1986	1987	1988	1989
Missing Children (Function 750):						
Authorization Level	10	10	10	10		
Estimated Outlays	1	9	12	12	6	
OJJDP (Function 750):						
Authorization Level		75	75	75	75	
Estimated Outlays		41	64	75	75	34
Runaway Youth (Function 500):						
Authorization Level		25	25	25	25	
Estimated Outlays		11	25	25	25	14
Total:						
Authorization Level	10	110	110	110	100	
Estimated Outlays	1	61	101	112	106	48

Basis of estimate: The estimate assumes that all amounts authorized will be appropriated. Estimated outlays for existing programs are based on the program's current spending pattern. Estimated outlays for the missing children program reflect the spending pattern of similar programs.

6. Estimated cost to State and local governments: In recent years, between 70 and 80 percent of the OJJDP appropriation has gone to state and local governments in the form of grants. If the authorized amounts are appropriated, the funds that are likely to be allocated for grants to state and local governments from this office could total in excess of $52.4 million annually in fiscal years 1985 through 1989, compared to about $52 million in 1984. The runaway youth program usually allocates about 80 percent of its appropriation to state and local governments in the form of grants. If the authorized amounts are appropriated, the funds allocated to state and local governments from this program would total approximately $20 million in each of the fiscal years 1985–1989. There are no significant costs to state and local governments as a result of the other provisions of the bill.

7. Estimate comparison: None.

8. Previous CBO estimate: On May 8, 1984, the Congressional Budget Office prepared a cost estimate for H.R. 4971, the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984, as ordered reported by the House Committee on Education and Labor, April 26, 1984. H.R. 4971 authorizes appropriations for the three programs through fiscal year 1989.

9. Estimate prepared by: Lloyd F. Bernard.

10. Estimate approved by: C. G. Nuckols (James L. Blum, Assistant Director for Budget Analysis).

X. AGENCY VIEWS

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS,
Washington, D.C., May 22, 1984.

Hon. STROM THURMOND,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice regarding S. 2014, a bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974, and "to provide for assistance in locating missing children."

We believe the objectives of S. 2014 can best be achieved within the context of the Administration-supported legislative proposal which I have enclosed. In summary, this proposal would administratively combine juvenile justice and missing children progams with the broader justice assistance program of which they should be a part. We believe that substantial savings of limited tax dollars are possible through a consolidated administrative structure with the result that more of each program dollar will go to program objectives and less to administrative overhead here in Washington. In addition, we believe that integration of these activities under a single Assistant Attorney General for Justice Assistance is best calculated to ensure that grant programs are coordinated with the related research and statistical programs so that grant activities can be adjusted based or research and statistical findings to achieve maximum effectiveness. In this regard, we believe it was the tendency to look at specific justice-related grant programs in isolation, without effective management controls or coordination, that resulted in the well documented shortcomings of the Law Enforcement Assistance Administration. We believe that the enclosed proposal reflects the lessons of the past and creates a sound management structure through which the goals of S. 2014 can most effectively be pursued.

A brief description of our consolidated Justice Assistance, Juvenile Justice and Missing Children proposal is also enclosed. We respectfully urge favorable consideration of this proposal by the Congress so that we can promptly begin to implement the new program proposed in S. 2014 and Title VI of S. 1762.

The Office of Management and Budget has advised that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

ROBERT A. MCCONNELL,
Assistant Attorney General.

Enclosures.

AN AMENDMENT IN THE NATURE OF A SUBSTITUTE

This Amendment in the nature of a substitute incorporates into the Justice Assistance Act passed by the House (H.R. 2175), several important provisions of similar legislation previously passed by the Senate as Title VI of S. 1762, while retaining the program thrust and substance of the House measure. It also provides for a Federal

program within the Department of Justice to address the serious problem of juvenile delinquency and to establish a program dealing with the critical issue of missing and exploited children, as contained in S. 2014.

Under this Amendment, there would be established within the Department of Justice an Office of Justice Assistance, headed by an Assistant Attorney General who would be appointed by the President, by and with the advice and consent of the Senate. the Office of Justice Assistance would exercise general supervision and coordination of the financial and technical assistance, justice research, statistics, juvenile justice and assistance programs for State and local governments.

Four bureaus with distinct missions in support of State and local criminal justice will operate from within the organizational framework of the Office. They are: the Bureau of Justice Programs, responsible for administering a grant program for State and local criminal justice; the Bureau of Juvenile Justice, which will manage formula (block) grant and discretionary grant programs focusing on State and local activities to reduce the incidence of juvenile crime; the National Institute of Justice, to foster research into the broad range of law enforcement issues and to provide useful information on new methods of addressing criminal justice problems at the State and local levels; and the Bureau of Justice Statistics, which collects, analyzes and disseminates important information on all aspects of crime, its victims, and the criminal justice system.

JUSTICE ASSISTANCE

A targeted program of financial and technical assistance to State and local units of governments and non-profit organizations would be administered by the Bureau of Justice Programs, headed by a Director appointed by the Attorney General. Assistance would be provided through a combination of block grants and discretionary grants to support specific types of projects outlined in the legislation.

Under block grant provisions, each State would receive a base amount of $250,000 with the balance of these funds distributed to the States on the basis of relative population. The Federal funds would be matched by the states and localities on a 50–50 basis, with all of the Federal funds going for project activities rather than administrative costs.

Eligible activities under the block grant program include programs designed to:

Increase the conviction rate of repeat or violent offenders;

Reduce prison and jail overcrowding;

Address the problems of serious and violent offenses committed by juveniles;

Address the problems of crime against the elderly and rural crime;

Speed the court processing of felony offenders and provide modern caseload management systems for prosecutors;

Encourage citizen action in crime prevention in cooperation with law enforcement agencies;

in addition to other specified programs.

The discretionary grant program would concentrate heavily on technical assistance and training in support of the block grant objectives and would support national and multi-jurisdictional anti-crime programs.

JUVENILE JUSTICE

The Bureau of Juvenile Justice shall be headed by a Director appointed by the Attorney General. In addition to the administration of the juvenile justice grant programs, the Director will be in a position to assure coordination among the other bureaus on matters relating to juvenile delinquency and to represent juvenile justice interests within the Office of Justice Assistance and the Department of Justice.

The Bureau of Juvenile Justice would be authorized to provide funds, technical assistance and training to State and local governments, public and private agencies, organizations and individuals in support of the range of activities specified in current law, plus an additional, new program relating to missing children, as discussed below.

The Amendment would authorize $70 million annually for fiscal years 1985–88.

JUSTICE RESEARCH AND STATISTICS

The current programs and activities of the National Institute of Justice and the Bureau of Justice Statistics would be continued under the Amendment. However, the Amendment provides an organizational arrangement under which their products and findings will have greater impact on the programs and priority development process of the financial assistance units—the Bureau of Justice Programs and the Bureau of Juvenile Justice.

EMERGENCY ASSISTANCE

The Amendment also provides for an Emergency Federal Law Enforcement Assistance program, developed in the House Judiciary Committee and included with some modifications in the measure (S. 1762) passed by the Senate. Under this part, the Federal government is authorized to provide equipment, training, financial and technical assistance to State or local jurisdictions confronted by a law enforcement emergency which is beyond the capacity of local resources to resolve.

MISSING CHILDREN

The "Missing Childrens Act" provisions of S. 2014 are incorporated in the Amendment to authorize the Bureau of Juvenile Justice to undertke programs in support of activities to locate and recover missing children and to assist in the development and dissemination of information designed to prevent the abduction of children. Among other things, it provides for establishment of a national toll-free telephone line for the reporting of information regarding the location of missing children and it provides for establishment of a national resource center and clearinghouse to provide techni-

cal assistance to local and State governments, private orgnizations and individuals involved in the recovery of missing children.

The Bureau would be authorized to use up to $10 million per year of funds appropriated for juvenile justice for the Missing Children program.

AN AMENDMENT IN THE NATURE OF A SUBSTITUTE

H.R. 2175 is Amended to Read as Follows:

To amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENTS TO OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

SHORT TITLE

SEC. 101. This Act may be cited as the "Justice Assistance Act of 1984".

SEC. 102. (a) Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C 3701-2799) is Amended to read as follows—

"PART A—OFFICE OF JUSTICE ASSISTANCE

"ESTABLISHMENT OF OFFICE OF JUSTICE ASSISTANCE

"SEC. 101. There is hereby established an Office of Justice Assistance within the Department of Justice under the general authority of the Attorney General. The Office of Justice Assistance (hereinafter referred to in this title as the 'Office') shall be headed by an Assistant Attorney General appointed by the President, by and with the with the consent of the Senate. The Assistant Attorney General shall have authority to award all grants, cooperative agreements, and contacts authorized under this title.

"DUTIES AND FUNCTIONS OF ASSISTANT ATTORNEY GENERAL

"SEC. 102. (a) The Assistant Attorney General shall—

"(1) publish and disseminate information on the conditions and progress of the criminal justice sysems;

"(2) maintain liaison with the executive and judicial branches of the Federal and State Governments in matters relating to justice research and statistics, and cooperate in assuring as much uniformity as feasible in statistical systems of the executive and judicial branches;

"(3) provide information to the President, the Congress, the judiciary, State and local governments, and the general public on justice research and statistics;

"(4) maintain liaison with public and private educational and research institutions, State and local governments, and governments of other nations concerning justice research and statistics;

"(5) cooperate in and participate with national and international organizations in the development of uniform justice statistics;

"(6) insure conformance with security and privacy regulations issued pursuant to section 710 and, identify, analyze and participate in the development and implementation of privacy, security and information polices which impact on Federal and state criminal justice operations and related statistical activities;

"(7) directly provide staff support to, supervise and coordinate the activities of the Bureau of Justice Programs, the National Institute of Justice, the Bureau of Justice Statistics and the Bureau of Juvenile Justice and Delinquency Prevention;

"(8) exercise the powers and functions set out in Part G; and

"(9) exercise such other powers and functions as may be vested in the Assistant Attorney General pursuant to this title or by delegation of the Attorney General.

"(b) The Attorney General shall submit an annual report to the President and to the Congress not later than March 31 of each year. Each annual report shall describe the acttivities carried out under the provisions of this title and shall contain such findings and reommendations as the Attorney General considers necessary or appropriate after consultation with the Assistant Attorney General and the Advisory Board.

"ADVISORY BOARD

"SEC. 103. (a) There is hereby established a Justice Assistance Board (hereinafter referred to as the 'Board'). The Board shall consist of not more than twenty-one members who shall be appointed by the President. The members shall include representatives of the public, various components of the criminal justice system at all levels of government, and persons experienced in the criminal justice system, including the design, operation and management of programs a the State and local level. The President shall designate from among its memberts a Chairman and Vice Chairman. The Vice Chairman is authorized to sit and act in the place of the Chairman in the absence of the Chairman. The Assistant Attorney General shall be a non-voting member of the Board and shall not serve as Chairman or Vice Chairman. Vacancies in the membership of the Board shall not affect the power of the remaining members to execute the functions of the Board and shall be filled in the same manner as in the case of an original appointment.

"(b) The Board may make such rules respecting organization and procedures as it deems necessary, except that no recommendation shall be reported from the Board unless a majority of the full Board assents.

"(c) The members of the Board shall serve at the pleasure of the President and shall have no fixed term. The members of the Board shall receive compensation for each day engaged in the actual performance of duties vested in the Board at rates of pay not in excees of the daily equivalent of the highest rate of basic pay then payable in the General Schedule of section 5332(a) of title 5, United States

Code, and in addition shall be reimbursed for travel, subsistance, and other necessary expenses.

"(d) The Board shall—

"(1) advise and make recommendations to the Assistant Attorney General on the policies and priorities of the Bureau of Justice Programs, the National Institute of Justice, the Bureau of Justice Statistics, and the Bureau of Juvenile Justice and Delinquency Prevention in research, statistics and program priorities;

"(2) review demonstration programs funded under part B, and evaluations thereof, and advise the Assistant Attorney General of the results of such review and evaluations; and

"(3) undertake such additional related tasks as the Board may deem necessary.

"(e) In addition to the powers and duties set forth elsewhere in this title, the Assistant Attorney General shall exercise such powers and duties of the Board as may be delegated to the Assistant Attorney General by the Board.

"(f) The Assistant Attorney General shall provide staff support to assist the Board in carrying out its activities.

"PART B—BUREAU OF JUSTICE PROGRAMS

"ESTABLISHMENT OF BUREAU OF JUSTICE PROGRAMS

"SEC. 201. (a) There is established within the Office of Justice Assistance a Bureau of Justice Programs (hereinafter referred to in this part as the "Bureau").

"(b) The Bureau shall be headed by a Director who shall be appointed by the Attorney General. The Director shall not engage in any employment other than that of serving as the Director, nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Bureau makes any contract or other arrangement under this title.

"DUTIES AND FUNCTIONS OF DIRECTOR

"SEC. 202. The Director shall—

"(1) provide funds to eligible States, units of local government and private nonprofit organizations pursuant to part E and part F;

"(2) establish priorities for programs in accordance with part E and, following public announcement of such priorities, award and allocate funds and technical assistance in acordance with the criteria of part F and on terms and conditions determined by the Director to be consistent with part F;

"(3) cooperate with and provide technical assistance to states, units of local government, and other public and private organizations or international agencies involved in criminal justice activities;

"(4) provide for the development of technical assistance and training progams for state and local criminal justice agencies and foster local participation in such activities;

"(5) encourage the targeting of State and local resources on efforts to reduce the incidence of violent crime and on pro-

grams relating to the apprehension and prosecution of repeat offenders;

"(6) advise and make recommendations to the Assistant Attorney General on the policies and priorities of the Office relating to the Bureau; and

"(7) exercise such other powers and functions as may be vested in the Director pursuant to this title.

"PART C—NATIONAL INSTITUTE OF JUSTICE

"NATIONAL INSTITUTE OF JUSTICE

"SEC. 301. It is the purpose of this part to establish a National Institute of Justice, which shall provide for and encourage research and demonstration efforts for the purpose of—

"(1) improving Federal, State and local criminal justice systems and related aspects of the civil justice system;

"(2) preventing and reducing crimes;

"(3) insuring citizen access to appropriate dispute-resolution forums;

"(4) improving efforts to detect, investigate, prosecute, and otherwise combat and prevent white-collar crime and public corruption;

"(5) addressing the unique problem of crime committed against the elderly;

"(6) identifying programs of proven and demonstrated success or programs which are likely to be successful; and

"(7) developing improved strategies for rural areas to better utilize their dispersed resources in combating crime, with particular emphasis on violent crime, juvenile delinquency, and crime prevention.

The Institute shall have authority to engage in and encourage research and development to improve and strengthen the criminal justice system and related aspects of the civil justice system and to disseminate the results of such efforts to units of Federal, State, and local governments, to develop alternatives to judicial resolution of disputes, to evaluate the effectiveness of programs funded under this title, to develop and demonstrate new or improved approaches and techniques, to improve and strengthen the administration of justice, and to identify programs or projects carried out under this title which have demonstrated success in improving the quality of justice systems and which offer the likelihood of success if continued or repeated. In carrying out the provisions of this part the Institute shall give primary emphasis to the problems of State and local justice systems.

"ESTABLISHMENT, DUTIES, AND FUNCTIONS

"SEC. 302. (a) There is established within the Office of Justice Assistance a National Institute of Justice (hereinafter referred to in this title as the "Institute").

"(b) The Institute shall be headed by a Director appointed by the Attorney General. The Director shall have had experience in justice research. The Director shall have such authority as delegated by the Assistant Attorney General to make grants, cooperative

agreements, and contracts awarded by the Institute. The Director shall not engage in any other employment than that of serving as Director; nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Institute makes any contract or other arrangements under this title.

"(c) The Institute is authorized to—

"(1) make grants to, or enter into cooperative agreements or contracts with, States, units of local government or combinations thereof, public agencies, institutions of higher education, private organizations, or individuals to conduct research, demonstration or special projects pertaining to the purposes described in this part, and provide technical assistance and training in support of tests, demonstrations, and special projects;

"(2) conduct or authorize multiyear and short-term research and development concerning the criminal and civil justice systems in an effort—

"(A) to identify alternative programs for achieving system goals;

"(B) to provide more accurate information on the causes and correlates of crime;

"(C) to analyze the correlates of crime and juvenile delinquency and provide more accurate information on the causes and correlates of crime and juvenile delinquency;

"(D) to improve the functioning of the criminal justice system;

"(E) to develop new methods for the prevention and reduction of crime, including but not limited to the development of programs to facilitate cooperation among the States and units of local government, the detection and apprehension of criminals, the expeditious, efficient, and fair disposition of criminal and juvenile delinquency cases, the improvement of policy and minority relations, the conduct of research into the problems of victims and witnesses of crime, the feasibility and consequences of allowing victims to participate in criminal justice decisionmaking, the feasibility and desirability of adopting procedures and programs which increase the victim's participation in the criminal justice process, the reduction in the need to seek court resolution of civil disputes, and the development of adequate corrections facilitates and effective programs of correction; and

"(F) to develop programs and projects to improve and expand the capacity of States and units of local government and combinations of such units, to detect, investigate, prosecute, and otherwise combat and prevent white-collar crime and public corruption, to improve and expand cooperation among the Federal Government, States, and units of local government in order to enhance the overall criminal justice system response to white-collar crime and public corruption, and to foster the creation and implementation of a comprehensive national strategy to prevent and combat white-collar crime ad public corruption.

In carrying out the provisions of this subsection, the Institute may request the assistance of both public and private research agencies;

"(3) evaluate the effectiveness of projects or programs carried out under this title;

"(4) make recommendations to the Assistant Attorney General for action which can be taken by units of Federal, State, and local governments and by private persons and organizations to improve and strengthen criminal and civil justice systems;

"(5) provide research fellowships and clinical internships and carry out programs of training and special workships for the presentation and dissemination of information resulting from research, demonstrations, and special projects including those authorized by this part;

"(6) collect and disseminate information obtained by the Institute or other Federal agencies, public agencies, institutions of higher education, and private organizations relating to the purposes of this part;

"(7) serve as a national and international clearinghouse for the exchange of information with respect to the purposes of this part;

"(8) encourage, assist, and serve in a consulting capacity to Federal, State, and local justice system agencies in the development, maintenance, and coordination of criminal and civil justice programs and services;

"(9) advise and make recommendations to the Assistant Attorney General on the policies and priorities of the Office relating to the Institute; and

"(10) exercise such administrative functions under Part G as may be delegated by the Assistant Attorney General.

"(d) To insure that all criminal and civil justice research is carried out in a coordinated manner, the Institute is authorized to—

"(1) utilize, with their consent, the services, equipment, personnel, information, and facilities of other Federal, State, local, and private agencies and instrumentalites with or without reimbursement therefore;

"(2) confer with and avail itself of the cooperation, services, records, and facilities of State or of municipal or other local agencies:

"(3) request such information, data, and reports from any Federal agency as may be required to carry out the purposes of this section, and the agencies shall provide such information to the Institute as required to carry out the purposes of this part;

"(4) seek the cooperation of the judicial branches of Federal and State Government in coordinating civil and criminal justice research and development.

"AUTHORITY FOR 100 PER CENTUM GRANTS

"SEC. 303. A grant authorized under this part may be up to 100 per centum of the total cost of each project for which such grant is made. The Institute shall require, whenever feasible, as a condition of approval of a grant under this part, that the recipient contribute

money, facilities, or services to carry out the purposes for which the grant is sought.

"PART D—BUREAU OF JUSTICE STATISTICS

"BUREAU OF JUSTICE STATISTICS

"SEC. 401. It is the purpose of this part to provide for an encourage the collection and analysis of statistical information concerning crime, juvenile delinquency, and the operation of the cirminal justice system and related aspects of the civil justice system and to encourage the development of information and statistical systems at the Federal, State, and local levels to improve the efforts of these levels of government to measure and understand the levels of crime, juvenile delinquency, and the operation of the criminal justice system and related apsects of the civil justice system. The Bureau of shall give primary emphasis to the needs of State and local justice systems, both individuallly and as a whole.

"ESTABLISHMENT, DUTIES, AND FUNCTIONS

"SEC. 402. (a) There is established within the Office of Justice Assistance a Bureau of Justice Statistics (hereinafter referred to in this part as the "Bureau").

"(b) The Bureau shall be headed by a Director appointed by the Attorney General. The Director shall have had experience in statistical programs. The Director shall have such authority as delegated by the Assistant Attorney General to make grants, cooperative agreements, and contracts awarded by the Bureau. The Director shall not engage in any other employment than that of serving as Director; not shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Bureau makes any contract or other arrangement under this Act.

"(c) The Bureau is authorized to—

"(1) make grants to, or enter into cooperative agreements or contracts with public agencies, institutions of higher education, private organizations, or private individuals for purposes related to this part; grants shall be made subject to continuing compliance with standards for gathering justice statistics set forth in rules and regulations promulgated by the Director;

"(2) collect and analyze information concerning criminal victimization, including crimes against the elderly, and civil disputes;

"(3) collect and analyze data that will serve as a continuous and comparable national social indication of the prevalence, incidence, rates, extent, distribution, and attributes of crime, juvenile delinquency, civil disputes, and other statistical factors related to crime, civil disputes, and juvenile delinquency, in support of National, State, and local justice policy and decisionmaking;

"(4) collect and analyze statistical information concerning the operations of criminal justice system at the Federal, State, and local levels;

"(5) collect and analyze statistical information concerning the prevalence, incidence, rates, extent, distribution, and at-

tributes of crime, and juvenile delinquency, at the Federal, State, and local levels.

"(6) analyze the correlates of crime, civil disputes and juvenile delinquency, by the use of statistical information, about criminal and civil justice systems at the Federal, State, and local levels, and about the extent, distribution and attributes of crime, and juvenile delinquency, in the Nation and at the Federal, State, and local levels;

"(7) compile, collate, analyze, publish, and disseminate uniform national statistics concerning all aspects of criminal justice and related aspects of civil justice, crime, including crimes against the elderly, juvenile delinquency, criminal offenders, juvenile delinquents, and civil disputes in the various States;

"(8) recommend to the Assistant Attorney General national standards for justice statistics and for insuring the reliability and validity of justice statistics supplied pursuant to this title;

"(9) establish or assist in the establishment of a system to provide State and local governments with access to Federal information resources useful in the planning, implementation, and evaluation of programs under this act;

"(10) conduct or support research relating to methods of gathering or analyzing justice statistics;

"(11) provide for the development of justice information systems programs and assistance to the States and units of local government relating to collection, analysis, or dissemination of justice statistics;

"(12) develop and maintain a data processing capability to support the collection, aggregation, analysis and dissemination of information on the incidence of crime and the operation of the criminal justice system;

"(13) collect, analyze and disseminate comprehensive Federal justice transaction statistics (including statistics on issues of Federal justice interest such as public fraud and high technology crime) and to provide assistance to and work jointly with other Federal agencies to improve the availability and quality of Federal justice data;

"(14) insure conformance with security and privacy requirement of section 810 and regulations issue pursuant thereto;

"(15) advise and make recommendations to the Assistant Attorney General on the policies and priorities of the Office relating to the Bureau; and

"(16) exercise such administrative functions under Part G as may be delegated by the Assistant Attorney General.

"(d) To insure that all justice statistical collection, analysis, and dissemination is carried out in a coordinated manner, the Bureau is authorized to—

"(1) utilize, with their consent, the services, equipment, records, personnel, information, and facilities of other Federal, State, local and private agencies and instrumentalities with or without reimbursement therefore, and to enter into agreements with the aforementioned agencies and instrumentalities for purposes of data collection and analysis;

"(2) confer and cooperate with State, municipal, and other local agencies;

"(3) request such information, data, and reports from any Federal agency as may be required to carry out the purposes of this title;

"(4) seek the cooperation of the judicial branch of the Federal Government in gathering data from criminal justice records; and

"(5) encourage replication, coordination and sharing among justice agencies regarding information systems, information policy, and data.

"(e) Federal agencies requested to furnish information, data, or reports pursuant to subsection (d)(3) shall provide such information to the Bureau as is required to carry out the purposes of this section.

"(f) In recommending standards for gathering justice statistics under this section, the Bureau shall consult with representatives of State and local government, including, where appropriate, representatives of the judiciary.

"AUTHORITY FOR 100 PER CENTUM GRANTS

"SEC. 403. A grant authorized under this part may be up to 100 per centum of the total cost of each project for which such grant is made. The Bureau shall require, whenever feasible as a condition of approval of a grant under this part, that the recipient contribute money, facilities, or services to carry out the purposes for which the grant is sought.

"USE OF DATA

"SEC. 404. Data collected by the Bureau shall be used only for statistical or research purposes, and shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a particular individual other than statistical or research purposes.

PART E—STATE/LOCAL ALLOCATIONS

"DESCRIPTION OF PROGRAM

"SEC. 501. (a) It is the purpose of this part to assist States and units of local government in carrying out specific programs of proven effectiveness or which offer a high probability of improving the functions of the criminal justice systems and which focus primarily on violent crime and serious offenders. The Bureau of Justice Programs (hereinafter referred to in this part at the 'Bureau') is authorized, to make grants under this part to States for the purpose of—

"(1) providing community and neighborhood programs that enable citizens and police to undertake initiatives to prevent and control neighborhood crime;

"(2) disrupting illicit commerce in stolen goods and property;

"(3) combating arson;

"(4) effectively investigating and bringing to trial white-collar crime, organized crime, public corruption crimes, and fraud against the Government;

"(5) identifying and processing within the criminal justice system persons (including juvenile offenders) with a history of serious criminal conduct;

"(6) developing and implementing programs which provide assistance to jurors and witnesses, and assistance (other than compensation) to victims of crimes;

"(7) providing alternatives to pretrial detention, jail, and prison for persons who pose no danger to the community;

"(8) providing programs which identify and meet the needs of drug-dependent offenders;

(9) providing programs which alleviate prison and jail overcrowding, in studying deinstitutionalization of status offenders, the separation of juveniles from adult offenders, and programs which identify existing State and Federal buildings suitable for prison use;

"(10) improve workload management systems for prosecutors and expedite felony case processing by the courts;

"(11) providing prison industry projects designed to place inmates in a realistic working and training environment in which they will be enabled to acquire marketable skills and to make financial payments for restitution to their victims, for support of their own families, and for support of themselves in the institution;

"(12) with respect to cases involving career criminals and violent crime, expedite the disposition of criminal cases, reform sentencing practices and procedures, and improve court system management;

"(13) provide training, technical assistance, and programs to assist State and local law enforcement authorities in rural areas in combating crime, with particular emphasis on violent crime, juvenile delinquency, and crime prevention;

"(14) address the unique problem of crime committed against the elderly;

"(15) providing for operational information systems which improve the effectiveness of criminal justice agencies;

"(16) providing programs of the same types as programs described in section 601(4) which the Director establishes, under section 603(a), as discretionary programs for financial assistance under part E and which have not been certified under paragraph (14);

"(17) providing programs of the same types as programs for which financial assistance was provided under paragraph (13) or section 601(4) and which were certified by the Director, primarily on the basis of any available objective, empirical, or statistical information or evaluation, as having proved a success;

"(18) providing programs which address the problem of serious offenses committed by juveniles; and

"(19) Providing programs which address the increase in the incidence of offenses committed against the elderly caused by such offenses.

"(b)(1) For any fiscal year ending after September 30, 1984, the Federal portion of any grant made under this part shall be 50 per centum of the cost of programs and projects specified in the application for such grant, except that in the case of funds distributed to

an Indian tribe which performs law enforcement functions (as determined by the Secretary of the Interior) for any program or project described in subsection (a), the Federal portion may be up to 100 per centum of such cost.

"(2) The non-Federal portion of the cost of such program or project shall be in cash.

"(c) No funds may be given under this title to a grant recipient for a program or project for which funds have been given under this title for 4 years (in the aggregate), including any period occurring before the effective date of this subsection.

"ELIGIBILITY

"SEC. 502. The Bureau is authorized to make financial assistance under this part available to a State to enable it to carry out all or a substantial part of a program or project submitted and approved in accordance with the provisions of this part.

"APPLICATIONS

"SEC. 503. (a) No grant may be made by the Bureau to a State, or by a State to an eligible recipient pursuant to part E, unless the application sets forth criminal justice programs covering a two-year period which meet the objectives of section 501, designates which objective specified in section 501(a) each such program is intended to achieve, and identifies the State agency or unit of local government which will implement each such program. This application must be amended annually if new programs are to be added to the application or if the programs contained in the original application are not implemented. The application must include—

"(1) an assurance that following the first fiscal year covered by an application and each fiscal year thereafter, the applicant shall submit to the Bureau, where the applicant is a State;

"(A) a performance report concerning the activities carried out pursuant to this title; and

"(B) an assessment by the applicant of the impact of those activities on the objectives of this title and the needs and objectives identified in the applicant's statement;

"(2) a certification that Federal funds made available under this title will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for criminal justice activities;

"(3) fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Bureau shall prescribe will be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this title;

"(4) an assurance that the State will maintain such data and information and submit such reports in such form, at such times and containing such data and information as the Bureau may reasonably require to administer other provisions of this title;

"(5) a certification that its programs meet all the requirements of this section, that all the information contained in the

application is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with all provisions of this title and all other applicable Federal laws. Such certification shall be made in a form acceptable to the Bureau and shall be executed by the chief executive or other officer of the applicant qualified under regulations promulgated by the Bureau;

"(6) satisfactory assurances that equipment, whose purchase was previously made in connection with a program or project in such State assisted under this title and whose cost in the aggregate was $100,000 or more, has been put into use not later than one year after the date set at the time of purchase for the commencement of such use and has continued in use during its useful life.

"(7) an assurance that the State will take into account the needs and requests of units of general local government in the State and encourage local initiative in the development of programs which meet the objective of section 501.

"REVIEW OF APPLICATIONS

"SEC. 504. (a) The Bureau shall provide financial assistance to each State applicant under this part to carry out the programs or projects submitted by such applicant upon determining that the application or amendment thereof is consistent with requirements of this title and with the priorities and criteria established by the Bureau under section 501. Each application or amendment made and submitted for approval to the Bureau pursuant to section 503 of this title shall be deemed approved, in whole or in part, by the Bureau within sixty days after first received unless the Bureau informs the applicant of specific reasons for disapproval.

"(b) The Bureau shall suspend funding for an approved application in whole or in part if such application contains a program or project which has failed to conform to the requirements or statutory objectives of this Act. The Bureau may make appropriate adjustments in the amounts of grants in accordance with its findings pursuant to this subsection.

"(c) Grant funds awarded under this part and part F shall not be used for—

"(1) the purchase of equipment or hardware, or the payment of personnel costs, unless the cost of such purchases and payments is incurred as an incidental and necessary part of a program under section 501(a);

"(2) programs which have as their primary purpose general salary payments for employees or classes of employees within an eligible jurisdiction, except for the compensation or personnel for time engaged in conducting or undergoing training programs or the compensation of personnel engaged in research, development, demonstration, or short-term programs;

"(3) land acquisition construction projects; or

"(4) programs or projects which, based upon evaluations by the Bureau, the National Institute of Justice, Bureau of Justice Statistics, State or local agenices, and other public or private organizations, have been demonstrated to offer a low probabili-

ty of improving the functioning of the criminal justice system. Such programs must be formally identified by a notice in the Federal Register after opportunity for comment.

"(d) The Bureau shall not finally disapprove any application submitted to the Director under this part, or any amendments thereof, without first affording the applicant reasonable notice and opportunity for reconsideration.

"ALLOCATION AND DISTRIBUTION OF FUNDS

"SEC. 505. (a) Of the total amount appropriated for this part and part F in any fiscal year, 80 per centum shall be set aside for this part and 20 per centum shall be set aside for part F. Funds set aside for this part shall be allocated to States as follows:

"(1) $250,000 shall be allocated to each of the participating States.

"(2) Of the total funds remaining for this part after the allocation under paragraph (1) there shall be allocated to each State an amount which the same ratio to the amount of remaining funds described in this subparagraph as the population of such State bears to the population of all the States.

"(b) Notwithstanding the requirements of section 505(a), if the total amount appropriated for this part and part F is less than $80,000,000 in any fiscal year, then the entire amount shall be set aside and reserved for allocation to the States according to the criteria established by the Director to provide for equitable distribution among the States.

"(c)(1) Each State which receives funds under this part in a fiscal year shall distribute among units of local government, or combinations of units of local government, in such State for the purposes specified in section 501(a) not less than that portion of such funds which bears the same ratio to the aggregate amount of such funds as the amount of funds expended by all units of local government for criminal justice in the preceding fiscal year bears to the aggregate amount of funds expended by the State and all units of local government in such State for criminal justice in such preceding fiscal year.

"(3) In distributing funds received under this part among urban, rural and suburban units of local government and combinations thereof, the State shall give priority to those jurisdictions with the greatest need.

"(4) Any funds not distributed to units of local government under paragraph (1) shall be available for expenditure by the State involved.

"(5) For purposes of determining the distribution of funds under paragraph (1), the most accurate and complete data available for the fiscal year involved shall be used. If data for such fiscal year are not available, then the most accurate and complete data available for the most recent fiscal year preceding such fiscal year shall be used. "(c) No funds allocated to a State under subsection (a) or (b) received by a State for distribution under subsection (c) may be distributed by the Director or by the State involved for any program other than a program contained in an approved application.

"(6) In distributing funds received under this part the State shall make every effort to distribute to units of local government and combinations thereof, the maximum amount of such available funds.

"(d) If the Bureau determines, on the basis of information available to it during any fiscal year, that a portion of the funds allocated to a State for that fiscal year will not be required or that a State will be unable to qualify or receive funds under this part, then such portion shall be reallocated to the other participating States.

"(e) Any funds not distributed under subsections (d) and (e) shall be available for obligation under part F.

"STATE OFFICE

"SEC. 506. (a) The chief executive of each participating State shall designate a State office for purposes of—

"(1) preparing an application to obtain funds under this part; and

"(2) administering funds received from the Bureau of Justice Programs, including receipt, review, processing, monitoring, progress and financial report review, technical assistance, grant adjustments, accounting, auditing, and fund disbursements.

"(b) An office or agency performing other functions within the executive branch of a State may be designated to carry out the functions specified in subsection (a).

"PART F—DISCRETIONARY GRANTS

"PURPOSE

"SEC. 601. (a) The purpose of this part is to provide additional Federal financial assistance to States, units of local government, combinations of such units, and private nonprofit organizations for purposes of—

"(1) educational and training programs for criminal justice personnel;

"(2) providing technical assistance to States and local units of governments;

"(3) projects which are national or multi-State in scope and which address the purposes specified in section 501; and

"(4) providing financial assistance to States, units of local government and private nonprofit organizations for demonstration programs which, in view of previous research or experience, are likely to be a success in more than one jurisdiction and are not likely to be funded with moneys from other sources.

"(b) In carrying out this part, the Bureau is authorized to make grants, enter into cooperative agreements, and contracts with, states, units of local governments or combinations thereof, public agencies, institutions of higher education or private organizations.

"PERCENTAGE OF APPROPRIATION FOR DISCRETIONARY GRANT PROGRAM

"SEC. 602. Of the total amount appropriated for part E and this part in any fiscal year, 20 per centum shall be reserved and set aside for this part in a special discretionary fund for use by the Office in carrying out the purposes specified in section 501. Grants under this part may be made for amounts up to 100 per centum of the costs of the programs or projects contained in the aproved application.

"PROCEDURE FOR ESTABLISHING DISCRETIONARY PROGRAMS

"SEC. 603. (a) The Director of the Bureau of Justice Programs shall periodically establish discretionary programs and projects for financial assistance under this part. Such programs and projects shall be considered priorities for a period of time not to exceed three years from the time of such determination.

"(b) Such Director shall annually request the National Institute of Justice, the Bureau of Justice Statistics, the Bureau of Juvenile Justice and Delinquency Prevention, the Office of Justice Assistance, State and local governments, and other appropriate public and private agencies to suggest discretionary programs and projects. Such Director shall then, pursuant to regulations, annually publish the proposed priorities pursuant to this part and invite and encourage public comment concerning such priorities. Priorities shall not be established or modified until such Director has provided at least sixty-days advance notice for such public comment and such Director shall encourage and invite recommendations and opinion concerning such priorities from appropriate agencies and officials of State and units of local government. After considering any comments submitted during such period of time and after consultation with appropriate agencies and officials of State and units of local government, such Director shall determine whether existing established priorities should be modified. Such Director shall publish in the Federal Register the priorities established pursuant to this part, as amended by the Justice Asistance Act of 1984, for fiscal year 1984 and each fiscal year thereafter for which appropriations will be available to carry out the program.

"CRITERIA FOR AWARD

"SEC. 604. (a) No grant may be made pursuant to this part unless an application has been submitted to the Bureau in which the applicant—

"(1) sets forth a program or project which is eligible for funding pursuant to this part;

"(2) describes the services to be provided, performance goals and the manner in which the program is to be carried out;

"(3) describes the method to be used to evaluate the program or project in order to determine its impact and effectiveness in achieving the stated goals and agrees to conduct such evaluation according to the procedures and terms established by the Bureau;

"(4) indicates, if it is a private nonprofit organization, that it has consulted with appropriate agencies and officials of the

State and units of local government to be affected by the program or project.

"(b) Each applicant for funds under this part shall certify that its program or project meets all the requirements of this section, that all the information contained in the application is correct, and that the applicant will comply with all the provisions of this title and all other applicable Federal laws. Such certification shall be made in a form acceptable to the Bureau.

"PERIOD FOR AWARD

"Sec. 605. The Bureau may provide financial aid and assistance to programs or projects under this part for a period not to exceed three years. Grants made pursuant to this part may be extended or renewed by the Bureau for an additional period of up to two years if—

"(1) an evaluation of the program or project indicates that it has been effective in achieving the stated goals or offers the potential for improving the functioning of the criminal justice system; and

"(2) the State, unit of local government, or combination thereof and private nonprofit organizations within which the program or project has been conducted agrees to provide at least one-half of the total cost of such program or project from part E funds or from any other source of funds, including other Federal grants, available to the eligible jurisdiction. Funding for the management and the administration of national nonprofit organizations under section 601(c) of this part is not subject to the funding limitations of this section.

"PART G—ADMINISTRATIVE PROVISIONS

"ESTABLISHMENT OF RULES AND DELEGATION OF FUNCTIONS

"SEC. 701. (a) The Office of Justice Assistance is authorized, after appropriate consultation with representatives of States and units of local government, to establish such rules, regulations, and procedures as are necessary to the exercise of the functions of the Office, the Bureau of Justice Programs, the Institute, the Bureau of Juvenile Justice and Delinquency Prevention, and the Bureau of Justice Statistics, and as are consistent with the stated purpose of this title.

"(b) The Office of Justice Assistance shall, after consultation with the Bureau of Justice Programs, the National Institute of Justice, the Bureau of Justice Statistics, the Bureau of Juvenile Justice and Delinquency Prevention, State and local governments, and the appropriate public and private agencies, establish such rules and regulations as are necessary to assure the continuing evaluation or monitoring of selected programs or projects conducted pursuant to parts E and F, in order to determine—

"(1) whether such programs or projects have achieved the performance goals stated in the original application, are of proven effectiveness, have a record of proven success, or offer a high probability of improving the criminal justice system;

"(2) whether such programs or projects have contributed or are likely to contribute to the improvement of the criminal justice system and the reduction and prevention of crime;

"(3) their cost in relation to their effectiveness in achieving stated goals;

"(4) their impact on communities and participants; and

"(5) their implication for related programs. In conducting evaluations described in this subsection, the Office of Justice Assistance shall, when practical, compare the effectiveness of programs conducted by similar applicants and different applicants. The Office of Justice Assistance shall also require applicants under part E to submit an annual performance report concerning activities carried out pursuant to Part E together with an assessment by the applicant of the effectiveness of those activities in achieving the objectives of section 501 of this title and the relationships of those activities to the needs and objectives specified by the applicant in the application submitted pursuant to section 503 of this title. The Office shall suspend funding for an approved application under part E if an applicant fails to submit such an annual performance report.

"(c) The procedures established to implement the provisions of this title shall minimize paperwork and prevent needless duplication and unnecessary delays in award and expenditure of funds at all levels of government.

"NOTICE AND HEARING ON DENIAL OR TERMINATION OF GRANT

"SEC. 702. (a) Whenever, after reasonable notice and opportunity for a hearing on the record in accordance with section 554 of title 5, United States Code, the Office finds that a recipient of assistance under this title has failed to comply substantially with—

"(1) any provisions of this title;

"(2) any regulations or guidelines promulgated under this title; or

"(3) any application submitted in accordance with the provisions of this title, or the provisions of any other applicable Federal Act;

the Assistant Attorney General, until satisfied that there is no longer any such failure to comply, shall terminate payments to the recipient under this title, reduce payments to the recipient under this title by an amount equal to the amount of such payments which were not expended in accordance with this title, or limit the availability of payments under this title to programs, projects, or activities not affected by such failure to comply.

"(b) If any grant under this title has been terminated, the Bureau of Justice Programs, the National Institute of Justice or the Bureau of Justice Statistics, as appropriate, shall notify the grantee of its action and set forth the reason for the action taken. Whenever such a grantee requests a hearing, the Office, or any authorized officer thereof, is authorized and directed to hold such hearings or investigations, including hearings on the record in accordance with section 554 of title 5, United States Code, at such times and places as necessary, following appropriate and adequate notice to such grantee; and the findings of fact and determinations

made with respect thereto shall be final and conclusive, except as otherwise provided herein. The Office is authorized to take final action without a hearing if after an administrative review of the termination it is determined that the basis for the appeal, if substantiated, would not establish a basis for continuation of the grant. Under such circumstances, a more detailed statement of reasons for the agency action should be made available, upon request, to the grantee.

"(c) If such recipient is dissatisfied with the findings and determinations of the Office, following notice and hearing provided for in subsection (a) of this section, a request may be made for rehearing, under such regulations and procedure as the Office may establish, and such recipient shall be afforded an opportunity to present such additional information as may be deemed appropriate and pertinent to the matter involved.

"FINALITY OF DETERMINATIONS

"SEC. 703. In carrying out the functions vested by this title in the Office, its determinations, findings, and conclusions shall, after reasonable notice and opportunity for a hearing, be final and conclusive upon all grants.

"SUBPOENA POWER; AUTHORITY TO HOLD HEARINGS

"SEC. 704. The Office may appoint such hearing examiners or administrative law judges or request the use of such administrative law judges selected by the Office of Personnel Management pursuant to section 3344 of title 5, United States Code, as shall be necessary to carry out the powers and duties under this title. The Office, or upon authorization, any member thereof or any hearing examiner or administrative law judge assigned to or employed thereby shall have the power to hold hearings and issue subpoenas, administer oaths, examine witnesses, and receive evidence at any place in the United States it may designate.

"PERSONNEL AND ADMINISTRATIVE AUTHORITY

"SEC. 705. (a) The Office is authorized to select, appoint, employ and fix compensation of such officers and employees as shall be necessary to carry out the powers and duties of the Office, the Bureau of Justice Programs, the Bureau of Juvenile Justice and Delinquency Prevention, the Institute, and the Bureau of Justice Statistics under this title.

"(b) The Office, the Bureau of Justice Programs, the Bureau of Juvenile Justice and Delinquency Prevention, the Institute, and the Bureau of Justice Statistics are authorized, on a reimbursable basis when appropriate, to use the available services, equipment, personnel, and facilities of Federal, State, and local agencies to the extent deemed appropriate after giving due consideration to the effectiveness of such existing services, equipment, personnel, and facilities.

"(c) The Office may arrange with and reimburse the heads of other Federal departments and agencies for the performance of any of the functions under this title.

"(d) The Office, the Bureau of Justice Programs, the Bureau of Juvenile Justice and Delinquency Prevention, the Institute, and the Bureau of Justice Statistics in carrying out their respective functions may use grants, contracts, or cooperative agreements in accordance with the standards established in the Federal Grant and Cooperative Agreement Act of 1977 (41 U.S.C. 501 et. seq.).

"(e) The Office may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, relating to appointments in the Federal service, at rates of compensation for individuals not to exceed the daily equivalent of the rate authorized for GS–18 by section 5332 of title 5, United States Code.

"(f) The Office is authorized to appoint pursuant to the Advisory Committee Management Act, but without regard to the remaining provisions of title 5, United States Code, technical or other advisory committees to advise it with respect to the administration of this title as it deems necessary. Members of those committees not otherwise in the employ of the United States, while engaged in advising or attending meetings of the committees, shall be compensated at rates to be fixed by the Office but not exceed the daily equivalent of the rate authorized for GS–18 by section 5332 of title 5 of the United States Code, and while away from home or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of such title 5 for persons in the Government service employed intermittently.

"(g) Payments under this title may be made in installments, and in advance or by way of reimbursement, as may be determined by the Office, and may be used to pay the transportation and subsistence expenses of persons attending conferences or other assemblages notwithstanding the provisions of the joint resolution entitled 'Joint resolution to prohibit expenditure of any moneys for housing, feeding, or transporting conventions or meetings', approved February 2, 1935 (31 U.S.C. 551).

"(h) The Office is authorized to accept and employ, in carrying out the provisions of this title, voluntary and uncompensated services notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b)). Such individuals shall not be considered Federal employees except for purposes of chapter 81 of title 5, United States Code, with respect to job-incurred disability and title 28, United States Code, with respect to tort claims.

"TITLE TO PERSONAL PROPERTY

"SEC. 706. Notwithstanding any other provision of law, title to all expendable and nonexpendable personal property purchased with funds made available under this title, including such property purchased with funds made available under this Act as in effect before the date of the enactment of the Justice Assistance Act of 1983, shall vest in the criminal justice agency or nonprofit organization that purchased the property if it certifies to the State office described in Section 506 that it will use the property for criminal justice purposes. If such certification is not made, title to the property shall vest in the State office, which shall seek to have the property used for criminal justice purposes elsewhere in the State prior to using it or disposing of it in any other manner.

"PROHIBITION OF FEDERAL CONTROL OVER STATE AND LOCAL CRIMINAL JUSTICE AGENCIES

"SEC. 707. Nothing in this title or any other Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over any police force or any other criminal justice agency of any state or any political subdivision thereof.

"NONDISCRIMINATION

"SEC. 708. (a) No person in any State shall on the ground of race, color, religion, national origin, or sex be excluded from participation in, be denied the benefits of or be subjected to discrimination under or denied employment in connection with any programs or activity funded in whole or in part with funds made available under this title.

"(b) Notwithstanding any other provision of law, nothing contained in this title shall be construed to authorize the Office of Justice Assistance—

"(1) to require, or condition the availability or amount of a grant upon the adoption by an applicant or grantee under this title of a percentage ratio, quota system, or other program to achieve racial balance in any criminal justice agency; or

"(2) to deny or discontinue a grant because of the refusal of an applicant or grantee under this title to adopt such a ratio, system or other program.

"(c) Whenever the Attorney General has reason to believe that a State government or unit of local government has engaged in or is engaging in a pattern or practice in violation of the provisions of this section, the Attorney General may bring a civil action in an appropriate United States district court. Such a court may grant as relief any temporary restraining order, preliminary or permanent injunction, or other order, as necessary or appropriate to insure the full enjoyment of the rights described in this section, including the suspension, termination, or repayment of such funds made available under this title as the court may deem appropriate, or placing any further such funds in escrow pending the outcome of the litigation.

"(d) Whenever the Attorney General files a civil action alleging a pattern or practice of discriminatory conduct on the basis of race, color, religion, national origin, or sex in any program or activity of State government or unit of local government which State government or unit of local government receives funds made available under this title, and the conduct allegedly violates the provisions of this section and neither party within forty-five days after such filing has been granted such preliminary relief with regard to the suspension or repayment of funds as may be otherwise available by law, the Office of Justice Assistance shall cause to have suspended further payment of any funds under this title to that specific program or activity alleged by the Attorney General to be in violation of the provisions of this subsection until such time as the court orders resumption of payment.

"RECORDKEEPING REQUIREMENT

"SEC. 709. (a) Each recipient of funds under this title shall keep such records as the Office shall prescribe, including records which fully disclose the amount and disposition by such recipient of the funds, the total cost of the project or undertaking for which such funds are used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Office or any of its duly authorized representatives, shall have access for purpose of audit and examination of any books, documents, papers, and records of the recipients of funds under this title which in the opinion of the Office may be related or pertinent to the grants, contracts, subcontracts, subgrants, or other arrangements referred to under this title.

"(c) The Comptroller General of the United States or any of his duly authorized representatives, shall until the expiration of three years after the completion of the program or project with which the assistance is used, have access for the purpose of audit and examination to any books, documents, papers, and records of recipients of Federal funds under this title which in the opinion of the Comptroller General may be related or pertinent to the grants, contracts, subcontracts, subgrants, or other arrangements referred to under this title.

"(d) The provisions of this section shall apply to all recipients of assistance under this title, whether by direct grant, cooperative agreement, or contract under this title or by subgrant or subcontract from primary grantees or contractors under this title.

"CONFIDENTIALLY OR INFORMATION

"SEC. 710. (a) Except as provided by Federal law other than this title, no officer or employee of the Federal Government, and no recipient of assistance under the provisions of this title shall use or reveal any research or statistical information furnished under this title by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this title. Such information and copies thereof shall be immune from legal process, and shall not, within the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceedings.

"(b) All criminal history information collected, stored, or disseminated through support under this title shall contain, to the maximum extent feasible, disposition as well as arrest data where arrest data is included therein. The collection, storage, and dissemination of such information shall take place under procedures reasonably designed to insure that all such information is kept current therein; the Office shall assure that the security and privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal justice and other lawful purposes. In addition, an individual who believes that criminal history information concerning him contained in an automated system is inaccurate, incomplete, or maintained in violation of this title, shall, upon satisfactory verification of his identity, be

entitled to review such information and to obtain a copy of it for the purpose of challenge or correction.

"(c) All criminal intelligence systems operating through support under this title shall collect, maintain, and disseminate criminal intelligence information in conformance with policy standards which are prescribed by the Office and which are written to assure that the funding and operation of these systems furthers the purpose of this title and to assure that such systems are not utilized in violation of the privacy and constitutional rights of individuals.

"(d) Any person violating the provisions of this section, or of any rule, regulation, or order issued thereunder, shall be fined not to exceed $10,000, in addition to any other penalty imposed by law.

"PART H—DEFINITIONS

"DEFINITIONS

"SEC. 801. As used in this title—

"(1) 'criminal justice' means activities pertaining to crime prevention, control, or reduction, or the enforcement of the criminal law, including, but not limited to, police efforts to prevent, control, or reduce crime or to apprehend criminals, including juveniles, activities of courts having criminal jurisdiction, and related agencies (including but not limited to prosecutorial and defender services, juvenile delinquency agencies and pretrial service or release agencies), activities of corrections, probation, or parole authorities and related agencies assisting in the rehabilitation, supervision, and care of criminal offenders, and programs relating to the prevention, control, or reduction of narcotic addiction and juvenile delinquency;

"(2) 'State' means any State of the United States, the District of Columbia, the United States Virgin Islands, and the Commonwealth of Puerto Rico;

"(3) 'Unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior, any agency of the District of Columbia government or the United States performing law enforcement functions in and for the District of Columbia, and Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands;

"(4) 'public agency' means any State, unit of local government, combination of such States or units, or any department, agency, or instrumentality of any of the foregoing;

"(5) 'criminal history information' includes records and related data, contained in an automated or manual criminal justice information system, compiled by law enforcement agencies for the purposes of identifying criminal offenders and alleged offenders and maintaining as to such persons records of arrests, the nature and disposition of criminal charges, sentencing, confinement, rehabilitation, and release;

"(6) 'evaluation' means the administration and conduct of studies or analyses of data to determine the impact and value

of a project or program in accomplishing the statutory objectives of this title;

"(7) 'Attorney General' means the Attorney General of the United States or his designee;

"(8) 'Assistant Attorney General' means the Assistant Attorney General for Justice Assistance.

"PART I—FUNDING

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 901. (a) There is authorized to be appropriated to carry out the functions of the Bureau of Justice Statistics such sums as are necessary for the fiscal years ending September 30, 1984, September 30, 1985, September 30, 1986, and September 30, 1987. There is authorized to be appropriated to carry out the functions of the National Institute of Justice such sums as are necessary for the fiscal years ending September 30, 1984, September 30, 1985, September 30, 1986, and September 30, 1987. There is authorized to be appropriated for parts A, B, E, F and G, and for the purposes of carrying out the remaining function of the Office of Justice Assistance other than parts J and L, such sums as are necessary for the fiscal years ending September 30, 1984, September 30, 1985, September 30, 1986, and September 30, 1987. Funds appropriated for any fiscal year may remain available for obligation until expended. There is authorized to be appropriated in each fiscal year such sums as may be necessary to carry out the purposes of part J and part L.

"(b) Notwithstanding any other provision of law, no funds appropriated under this section for parts D and E of this title may be transferred or reprogramed for carrying out any activitiy which is not authorized under such parts.

"PART J—PUBLIC SAFETY OFFICERS' DEATH BENEFITS

"PAYMENTS

"SEC. 1001. (a) In any case in which the Office determines, under regulations issued pursuant to this part, that a public safety officer has died as the direct and proximate result of a personal injury sustained in the line of duty, the Office shall pay a benefit of $50,000 as follows:

"(1) if there is no surviving child of such officer, to the surviving spouse of such officer;

"(2) if there is a surviving child or children and a surviving spouse, one-half to the surviving child or children of such officer in equal shares and one-half to the surviving spouse;

"(3) if there is no surviving spouse, to the child or children of such officer in equal shares; or

"(4) if none of the above, to the dependent parent or parents of such officer in equal shares.

"(b) Whenever the Office determines upon showing of need and prior to final action that the death of a public safety officer is one with respect to which a benefit will probably be paid, the Office may make an interim benefit payment not exceeding $3,000 to the

person entitled to receive a benefit under subsection (a) of this section.

"(c) The amount of an interim payment under subsection (b) shall be deducted from the amount of any final benefit paid to such person.

"(d) Where there is no final benefit paid, the recipient of any interim payment under subsection (b) shall be liable for repayment of such amount. The Office may waive all or part of such repayment, considering for this purpose the hardship which would result from such repayment.

"(e) The benefit payable under this part shall be in addition to any other benefit that may be due from any other source, except—

"(1) Payments authorized by section 12(k) of the Act of September 1, 1916, as amended (D.C. Code, sec. 4-531(1)); or

"(2) benefits authorized by section 8191 of title 5, United States Code; such beneficiaries shall only receive benefits under that section that are in excess of the benefits received under this part.

"(f) No benefit paid under this part shall be subject to execution or attachment.

"LIMITATIONS

"SEC. 1002. No benefit shall be paid under this part—

"(1) if the death was caused by the intentional misconduct of the public safety officer or by such officer's intention to bring about his death;

"(2) if the public safety officer was voluntarily intoxicated at the time of his death;

"(3) if the public safety officer was performing his duties in a grossly negligent manner at the time of his death; or

"(4) to any person who would otherwise be entitled to a benefit under this part if such person's actions were a substantial contributing factor to the death of the public safety officer.

"DEFINITIONS

"SEC. 1003. As used in this part—

"(1) 'child' means any natural, illegitimate, adopted, or posthumous child or stepchild of a decrease public safety officer who, at the time of the public safety officer's death, is—

"(i) eighteen years of age or under;

"(ii) over eighteen years of age and a student as defined in section 8101 of title 5, United States Code; or

"(iii) over eighteen years of age and incapable of self-support because of physical or mental disability;

"(2) 'dependent' means a person who was substantially reliant for support upon the income of the deceased public safety officer;

"(3) 'fireman' includes a person serving as an officially recognized or designated member of a legally organized volunteer fire department;

"(4) 'intoxication' means a disturbance of mental or physical faculties resulting from the introduction of alcohol into the body as evidenced by—

"(i) a post-mortem blood alcohol level of .20 percent or greater;

"(ii) a post-mortem blood alcohol level of .10 percent but less than .20 percent unless the Office receives convincing evidence that the public safety officer was not acting in an intoxicated manner immediately prior to his death;

or resulting from drugs or other substances in the body;

"(5) 'law enforcement officer' means a person involved in crime and juvenile delinquency control or reduction, or enforcement of the laws. This includes, but is not limited to, police, corrections, probation, parole, and judicial officers;

"(6) 'public agency' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Somoa, the Trust territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States, or any unit of local government, department, agency, or instrumentality of any of the foregoing; and

"(7) 'public safety officer' means a person serving a public agency in an official capacity, with or without compensation, as a law enforcement officer or a fireman.

"ADMINISTRATIVE PROVISIONS

"SEC. 1004. (a) The Office is authorized to establish such rules, regulations, and procedures as may be necessary to carry out the purposes of this part. Such rules, regulations, and procedures will be determinative of conflict of laws issues arising under this part. Rules, regulations, and procedures issued under this part may include regulations governing the recognition of agents or other persons representing claimants under this part before the Office. The Office may prescribe the maximum fees which may be charged for services performed in connection with any claim under this part before the Office, and any agreement in violation of such rules and regulations shall be void.

"(b) In making determinations under section 1001, the Office may utilize such administrative and investigative assistance as may be available from State and local agencies. Responsibility for making final determinations shall rest with the Office.

"JUDICIAL REVIEW

"SEC. 1005. The United States Claims Court shall have exclusive jurisdiction over all actions seeking review of the final decisions of the Office under this part.

"PART K—FBI TRAINING OF STATE AND LOCAL CRIMINAL JUSTICE PERSONNEL

"SEC. 1101. (a) The Director of the Federal Bureau of Investigation is authorized to—

"(1) establish and conduct training programs at the Federal Bureau of Investigation National Academy at Quantico, Virginia, to provide, at the request of a State or unit of local gov-

ernment, training for State and local criminal justice personnel;

"(2) develop new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen criminal justice; and

"(3) assist in conducting, at the request of a State or unit of local government, local and regional training programs for the training of State and local criminal justice personnel engaged in the investigation of crime and the apprehension of criminals. In rural areas such training shall emphasize effective use of regional resources and improving coordination among criminal justice personnel in different areas and in different levels of government. Such training shall be provided only for persons actually employed as State police or highway patrol, police of a unit of local government, sheriffs, and their deputies, and other persons as the State or unit may nominate for police training while such persons are actually employed as officers of such State or unit.

"(b) In the exercise of the functions, powers, and duties established under this section the Director of the Federal Bureau of Investigation shall be under the general authority of the Attorney General.

"(c) Notwithstanding the provisions of subsection (a), the Secretary of the Treasury is authorized to fund and continue to develop, establish and conduct training programs at the Federal Law Enforcement Training Center at Glynco, Georgia, to provide, at the request of a State or unit of local government, training for State and local criminal justice personnel so long as that training does not interfere with the Center's mission to train Federal law enforcement personnel.

"PART L—EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE

"APPLICATION REQUIREMENTS

"SEC. 1201. (a) The Attorney General is authorized to receive from the chief executive of any state a request for designation of a state or local jurisdiction as a law enforcement emergency jurisdiction. Such application shall be submitted in such manner and containing or accompanied by such information as the Attorney General may prescribe. Such application for designation as a law enforcement energency jurisdiction shall be evaluatd by the Attorney General according to such criteria, and on such terms and conditions as he shall establish and shall publish in the Federal Register prior to the beginning of fiscal year 1984 and each fiscal year thereafter for which appropriations will be available to carry out the program.

"(b) The Attorney General shall, in accordance with the criteria established, approve or disapprove such application not later than ten days after receiving such application.

"ASSISTANCE PROVIDED

"SEC. 1202. (a) Upon a finding by the Attorney General that a law enforcment emergency exists in accordance with the provisions

of section 1201 of this title, the Federal law enforcement community is authorized to provide emergency assistance for the duration of the emergency. The cost of such assistance may be paid by the Office of Justice Assistance from funds appropriated under this part, in accordance with procedures established by the Office and the heads of the participating Federal law enforcement agencies and with the approval of the Attorney General.

"(b) Upon such finding by the Attorney General, the Office of Justice Assistance may provide technical assistance, funds for the lease or rental of specialized equipment and other forms of emergency assistance to the jurisdiction, except that no funds may be used to pay the salaries of local criminal justice personnel or otherwise supplant State or local funds that would in the absence of such Federal funds be made available for law enforcement. The cost of assistance provided under this section shall be paid by the Office of Justice Assistance from funds appropriated under this part. The Federal share of such assistance may be up to 100 per centum of project costs.

"DEFINITIONS

"SEC. 1203. For the purposes of this part—

"(1) the term 'Federal law enforcement assistance' means equipment, training, intelligence information, and technical expertise;

"(2) the term 'Federal law enforcement community' means the heads of the following departments or agencies:

"(A) the Department of Justice,

"(B) the Internal Revenue Service,

"(C) the Customs Service

"(D) the National Park Service,

"(E) the Secret Service,

"(F) the Coast Guard,

"(G) the Bureau of Alcohol, Tobacco and Firearms,

"(H) other Federal agencies with specific statutory authority to investigate violations of Federal criminal laws;

"(3) the term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

"(4) the term 'law enforcement emergency' means an uncommon situation in which state and local resources are inadequate to protect the lives and property of citizens or enforce the criminal law.

"ADMINISTRATIVE REQUIREMENT

"SEC. 1204. The recordkeeping and administrative requirements of sections 708, 709 and 710 shall apply to funds provided under this part.

"LIMITATION OF AUTHORITY

"SEC. 1205. (a) Nothing is the part authorizes the use of Federal law enforcement personnel to investigate violations of criminal law other than violations with respect to which investigation is authorized by other provisions of law.

"(b) Nothing is this part shall be construed to authorize the Attorney General or the Federal law enforcement community to exercise any direction, supervision, or control over any police force or other criminal justice agency of an applicant for Federal law enforcement assistance.

"(c) Nothing in this part shall be construed to authorize the Attorney General or the Federal law enforcement community—

"(1) to condition the availability or amount of Federal law enforcement assistance upon the adoption by an applicant for such assistance of, or

"(2) to deny or discontinue such assistance upon the failure of such applicant to adopt,

a percentage ratio, quota system, or other program to achieve racial balance in any criminal justice agency of such applicant.

"(d) No funds provided under this part may be used to supplant State or local funds that would otherwise be made available for such purposes.

"(e) Nothing in this part shall be construed to limit any authority to provide emergency assistance otherwise provided by law.

"PROHIBITION OF LAND ACQUISITION

"SEC. 1206. (a) If Federal law enforcement assistance provided under this part is used by the recipient of such assistance in violation of section 204 or for any purpose other than the purpose for which it is provided, then such recipient shall promptly repay to the Attorney General an amount equal to the value of such assistance.

"(b) The Attorney General may bring a civil action in an appropriate United States district court to recover any amount required to be repaid under subsection (a).

"PART M—TRANSITION

"CONTINUATION OF RULES, AUTHORITIES, AND PROCEEDINGS

"SEC. 1301. (a) All orders, determinations, rules, regulations, and instructions of the Office of Justice Assistance, Research, and Statistics which are in effect on the date of the enactment of this Act shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked by the President or the Attorney General, or his designee, or by operation of law.

"(b) The amendments made to this title by the Justice Assistance Act of 1984 shall not affect any suit, action, or other proceeding commenced by or against the Government before the date of the enactment of such Act.

"(c) Nothing in this title prevents the utilization of funds appropriated for purposes of this title for all activities necessary or appropriate for the review, audit, investigation, and judicial or ad-

ministrative resolution of audit matters for those grants or contracts that were awarded under this title. The final disposition and dissemination of program and project accomplishments with respect to programs and projects approved in accordance with this title, as in effect before the date of the enactment of the Justice Assistance Act of 1984, may be carried out with funds appropriated for purposes of this title.

"(d) The Assistant Attorney General may award new grants, enter into new contracts or cooperative agreements and otherwise obligate unused or reversionary funds previously appropriated for the purposes of Parts D, E, and F of this title as in effect on the day before the date of enactment of the Justice Assistance Act of 1984, or for purposes consistent with this title.

"(e) Notwithstanding any other provisions of law, the Assistant Attorney General shall have all the authority previously vested in the Director of the Office of Justice Assistance, Research, and Statistics and the Administrator of the Law Enforcement Assistance Administration necessary to terminate the activities of the Law Enforcement Assistance Administration and the Office of Justice Assistance, Research, and Statistics, and all provisions of this title, as in effect on the day before the enactment of the Justice Assistance Act of 1984, which are necessary for this purpose remain in effect for the sole purpose of carrying out the termination of these activities.

"REFERENCES IN OTHER LAWS

"SEC. 802. Any reference to the Office of Justice Assistance, Research, and Statistics of the Law Enforcement Assistance Administration in any law other than this Act and the Omnibus Crime Control and Safe Streets Act of 1968, applicable to activities, functions, powers, and duties that after the date of the enactment of this Act are carried out by the Office of Justice Assistance shall be deemed to be a reference to the Office of Justice Assistance or to the Assistant Attorney General, Office of Justice Assistance, as the case may be.

"COMPENSATION OF FEDERAL OFFICERS

"SEC. 803. (a) Section 5314 of title 5, United States Code is amended by striking out "Director, Office of Justice Assistance, Research, and Statistics.".

"(b) Section 5315 of title 5, United States Code is amended by striking out "Administrator of Law Enforcement Assistance." "Director of the National Institute of Justice", and "Director of the Bureau of Justice Statistics."

"(c) Section 5316 of title 5, United States Code is amended by adding "Director of the National Institute of Justice, Director of the Bureau of Justice Statistics, and Director of the Bureau of Justice Programs.".

"PRISON INDUSTRY ENHANCEMENT

"SEC. 804. (a) Section 1761, subsection (c), of title 18, United States Code, is amended to read as follows:

"(c) In addition to the exceptions set forth in subsection (b) of this section, this chapter shall also not apply to goods, wares, services or merchandise manufactured, produced, provided or mined by convicts or prisoners participating in a program of not more than 20 projects designated by the Assistant Attorney General, Office of Justice Assistance, who—

"(1) have, in connection with such work, received wages at a rate which is not less than that paid for work of a similar nature in the locality in which the work was performed, except that such wages may be subject to deductions which shall not, in the aggregate, exceed 80 per centum of gross wages, and shall be limited as follows:

"(A) taxes (Federal, State, local);

"(B) reasonable charges for room and board as determined by regulations which shall be issued by the Chief correctional officer of the jurisdiction;

"(C) allocations for support of family pursuant to State statute, court order, or agreement by the offender;

"(D) contributions to any fund established by law to compenste the victims of crime of not more than 20 per centum but not less than 5 per centum of gross wages:

"(2) are entitled to compensation for injury sustained in the course of participation in these projects;

"(3) have participated in such employment voluntarily and have agreed in advance to the specific deductions made from gross wages pursuant to this section, and all other financial arrangements as a result of participation in such employment.

"(b)(1) Section 1761 of title 18, United States Code, is amended by adding thereto a new subsection (d) as follows:

"(d) The provisions of subsection (c) shall not apply unless—

"(1) representatives of local union central bodies or similar labor union organizations have been consulted prior to the initiation of any project otherwise qualifying for any exception created by subsection (c); and

"(2) such paid inmate employment will not result in the displacement of employed workers, or be applied in skills, crafts, or trades in which there is a surplus of available gainful labor in the locality, or impair existing contracts for services."

"(2) The second sentence of Section 11507 of title 49, United States Code, is amended by adding after the "use" the following: ", or to commodities produced by a project designated by the Assistant Attorney General, Office of Justice Assistance under Section 1761(c) of title 18, United States Code".

(c) The first section of the Act entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (49 Stat. 2036; 41 U.S.C. 35), commonly known as the Walsh-Healey Act, is amended by adding to the end of subsection (d) thereof, before "; and", the following: "except that this section, or any other law or Executive order containing similar prohibitions against purchase of goods by the Federal Government, shall not apply to convict labor which satisfies the conditions of section 1761(c) and 1761(d) of title 18, United States Code".

"SEC. 805. (a) Section 1028 of title 18, United States Code, is amended by adding at the end thereof the following:

"(f) To the maximum extent feasible, personal descriptors or identifiers utilized in identification documents, as defined in this section, shall utilize common descriptive terms and formats designed to—

"(1) reduce the redundancy and duplication of identification systems by providing information which can be utilzied by the maximum number of authorities; and

"(2) facilitate positive identification of bona fide holders of identification documents."

"(b) The President shall, no later than three years after the date of enacement of this Act, and after consultation with Federal, State, local, and international issuing authorities, and concerned groups, make recommendations to the Congress for the enactment of comprehensive legislation on Federal identification systems. Such legislation shall—

"(1) give due consideration to protecting the privacy of persons who are the subject of any identification system;

"(2) recommend appropriate civil and criminal sanctions for the misuse or unauthorized disclosure of personal identification information; and

"(3) make recommendations providing for the exchange of personal identification information as authorized by Federal or State law or Executive order of the President or the chief executive officer of any of the several states."

SEC. 102. Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601), is amended as follows—

"(a) SEC. 201 is amended to read—

"SEC. 201. (a) There is established within the Office of Justice Assistance a Bureau of Juv[illegible]e Justice (hereinafter referred to in this title as the "Bureau").

"(b) The Bureau shall be headed by a Director appointed by the Attorney General. The Director of the Bureau of Juvenile Justice (hereinafter referred to in this title as the "Director") shall have had experience in juvenile justice programs. The Director shall have such authority as delegated by the Assistant Attorney General for Justice Assistance to make grants, cooperative agreements, and contracts awarded by the Bureau. The Director shall not engage in any other employment than that of serving as the head of the Bureau; nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Bureau makes any contract or other arrangement under this Act.

"(c) There shall be in the Bureau such Assistant Directors as the Attorney General may designate including an Assistant Director whose function shall be to supervise and direct the National Institute for Juvenile Justice established under section 241 of this title.",

(b) by striking out section 207,

(c) by striking out "Administrator" each place it appears and inserting in lieu thereof "Director",

(d) by striking out "Office of Juvenile Justice and Deliquency Prevention" each place it appears and inserting in lieu thereof "Bureau of Juvenile Justice",

(e) by striking out "Deputy Administrator" each place it appears and inserting in lieu thereof "Assistant Director",

(f) by striking out "Advisory Committee" each place it appears and inserting in lieu thereof "Justice Assistance Board",

(g) Sec. 261 is amended to read—

SEC. 261. To carry out the purposes of this title there is authorized to be appropriated $70,000,000, for each of the fiscal years ending September 30, 1985, September 30, 1986, September 30, 1987, and September 30, 1988. Funds appropriated for any fiscal year may remain available for obligation until expended," and

(h) Sec. 262 is amended to read—

"SEC. 262. The administrative provisions of Part G of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Justice Assistance Act of 1984, are incorporated in this title as administrative provisions applicable to this title."

SEC. 103. Title II of the Juvenile Justice and Delinquency Prevention Act of 1984 (42 U.S. 5601) is amended by adding at the end thereof the following new part:

"PART E—MISSING CHILDREN

"FINDINGS

"SEC. 271. The Congress finds that—

"(1) over one million children are missing from their homes each year;

"(2) thousands of these children are abducted under circumstances which immediately place them in grave danger;

"(3) many of these children are never reunited with their families;

"(4) often, there are no clues as to the whereabouts of these children;

"(5) many missing children are at great risk of both physical harm and sexual exploitation;

"(6) of the over three thousand unidentifiable bodies that are discovered annually, hundreds are children;

"(7) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

"(8) abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

"(9) on frequent occasions, law enforcement authorities quickly exhaust all leads in missing children cases, and require assistance from distant communities where the child may be located; and

"(10) Federal assistance is urgently needed to coordinate and assist in this interstate problem.

"DEFINITION

"SEC. 272. For purposes of this part the term 'missing child' means any individual less than 18 years of age who disappears if the circumstances surrouding such individual's disappearance indicate that such individual may possibly have been abducted or that such individual may possibly have been removed from the control of a parent having legal custody of such individual without such parent's consent.

"DUTIES AND FUNCTIONS OF DIRECTOR

"SEC. 273. (a) The Director of the Bureau of Juvenile Justice (hereinafter referred to in this part as the 'Director')—

"(1) may prescribe such rules as he considers necessary or appropriate to carry out the purposes of this part;

"(2) shall make such arrangements as may be necessary or appropriate to ensure that there is effective coordination among all federally funded programs related to missing children; and

"(3) shall provide adequate staff and agency resources which are necessary to properly carry out the responsibilities pursuant to this part.

"(b) The Director shall, by making grants to, or entering into contracts with, public agencies or nonprofit organizations (or combination thereof), provide for programs—

"(1) to establish and maintain a national toll-free telephone line where individuals may report information regarding the location of missing children;

"(2) to establish and maintain a national resource center and clearinghouse to—

"(A) provide technical assistance to local and State governments, public and private nonprofit agencies and individuals in locating and recovering missing children;

"(B) coordinate public and private programs to locate and recover missing children; and

"(C) nationally disseminate information on innovative missing childrens' programs, services, and legislation; and

"(3 periodically conduct national incidence studies to determine the actual number of children reported missing each year, the number of children who are victims of stranger abductions, the number of children who are the victims of parental kidnappings, and the number of missing children who are recoverd each year.

"(c) The Director shall compile, analyze, publish, and disseminate an annual summary of recently conducted research, and research currently being conducted, on missing children, as well as prepare, in conjunction with the Advisory Board on Missing Children, an annual comprehensive plan for assuring cooperation and coordination among all agencies and organizations with responsibilities related to missing children.

"GRANTS

"SEC. 274. (a) The Director is authorized to make grants to and enter into contracts with public agencies or nonprofit private organizations, or combinations thereof, for research, or demonstration or service programs designed—

"(1) to educate parents, children, and community agencies in ways to prevent the abduction and exploitation of children;

"(2) to assist in the recovery or tracking of missing children;

"(3) to aid communities in the collection of materials which would be useful to parents in the identification of their children;

"(4) to increase knowledge of the psychological consequences on both parents and children in a child's abduction or exploitation, both during the period of disappearance and after the child is recovered; and

"(5) to collect detailed data from selected States or localities on the actual investigative practices utilized by law enforcement agencies in missing children's cases.

"(b) In considering grant applications under this part, priority shall be given to applicants who—

"(1) have demonstrated experience in providing services to missing children or their families; and

"(2) have demonstrated experience in locating missing children and reuniting them with their families; or

"(3) substantially utilize volunteer assistance.

"ADVISORY BOARD

"SEC. 275. (a) The Director shall, within ninety days after the date of enactment of this part, appoint and Advisory Board on Missing Children (hereinafter referred to as the "Advisory Board'), which shall meet periodically, Such Board shall comprised of five members of the general public with experience or expertise related to missing children. The Advisory Board shall assist the Director in coordinating programs and activities related to missing children which are planned, administered, or assisted by any Federal agency.

"(b) The Advisory Board shall assist in the preparation of the annual comprehensive plan on missing children developed pursuant to section 273(c) and shall submit the first annual plan to the President and Congress not later than eighteen months after the date of enactment of this section.

"(c) Members of the Advisory Board shall be entitled, for each day such member is engaged in the actual performance of his or her duties as a member of the Board, to be paid at a rate not in excess of the dairy equivalent rate of pay payable to a GS–8 employee under section 5332 of title 5, United States Code, including travel time. All members of the Board shall be reimbursed for travel (including per diem in lieu of subsistence) as authorized by section 5703 of such title, subsistence, and other necessary expenses incurred by them in the performance of their duties.

"CRITERIA FOR GRANTS

"SEC. 276. The Director, in consultation with the Advisory Board on Missing children, shall establish annual research, demonstration, and service program priorities, shall publish in the Federal Register for public comment a statement of such proposed priorities.

"AUTHORIZATION

"SEC. 277. To carry out the provisions of this title, the Director is authorized to provide not more than $10,000,000 each year from those funds appropriated under Sec. 261 (a) of Title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended by this Act."

"SEC. 104. Section 341 (a) of Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5751 (a)) is amended by striking out all after "ending" through ", and" and inserting after "1984" the following: ", "September 30, 1985, September 30, 1986, September 30, 1987, and September 30, 1988.".

XI. CHANGES IN EXISTING LAW

In compliance with paragraph (12) of rule XXVI of the Standing Rules of the Senate, changes in existing law made by S. 2014 are as follows: Existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman.

PUBLIC LAW 93-415—JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

* * * * * * *

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

* * * * * * *

PART E—MISSING CHILDREN

FINDINGS

SEC. 271. The Congress finds that—

(1) over one million children are missing from their homes each year;

(2) thousands of these children are abducted under circumstances which immediately place them in grave danger;

(3) many of these children are never reunited with their families;

(4) often, there are no clues as to the whereabouts of these children;

(5) many missing children are at great risk of both physical harm and sexual exploitation;

(6) of the over three thousand unidentifiable bodies that are discovered annually, hundreds are children;

(7) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

(8) abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

(9) on frequent occasions, law enforcement authorities quickly exhaust all leads in missing children cases, and require assistance from distant communities where the child may be located; and

(10) Federal assistance is urgently needed to coordinate and assist in this interstate problem.

DEFINITION

SEC. 272. For purposes of this part the term 'missing child' means—

(1) any individual thirteen years of age or younger whose whereabouts are unknown to his legal custodian; or

(2) any individual less than eighteen years of age whose whereabouts are unknown to his legal custodian if—

(A) the circumstances surrounding such individual's disappearance indicate that such individual may have been removed by another from the control of his legal custodian without the custodian's consent, or

(B) credible evidence indicates that the individual is likely to be abused or sexually exploited.

DUTIES AND FUNCTIONS OF ADMINISTRATOR

SEC. 273. (a) The Administrator—

(1) may prescribe such rules as he considers necessary or appropriate to carry out the purposes of this part,

(2) shall make such arrangements as may be necessary or appropriate to ensure that there is effective coordination among all federally funded programs related to missing children, and

(3) shall provide adequate staff and agency resources which are necessary to properly carry out his responsibilities pursuant to this part.

(b) The Administrator shall, by making grants to, or entering into contracts with, public agencies or nonprofit organizations (or combination thereof), provide for programs—

(1) to establish and maintain a national toll-free telephone line where individuals may report information regarding the location of missing children;

(2) to establish and maintain a national resource center and clearinghouse to—

(A) provide technical assistance to local and State governments, law enforcement agencies, public and private nonprofit agencies and individuals in locating and recovering missing children;

(B) coordinate public and private efforts to locate and recover missing children;

(C) nationally disseminate information of innovative missing childrens' programs, services, and legislation; and

(D) provide technical assistance to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private non-profit agencies, and individuals in the prevention, investigation, prosecution and treatment of the missing or exploited child case; and

(3) to periodically conduct national incidence studies to determine the actual number of children reported missing each year, the number of children who are victims of stranger abductions, the number of children who are the victims of parental kidnappings, and the number of missing children who are recovered each year.

(c) The Administrator shall compile, analyze, publish, and disseminate an annual summary of recently conducted research, and research currently being conducted, on missing children, as well as prepare, in conjunction with the Advisory Board on Missing Children, an annual comprehensive plan for assuring cooperation and coordination among all agencies and organizations with responsibilities related to missing children.

GRANTS

SEC. 274. (a) The Administrator is authorized to make grants to, and enter into contracts with, public agencies or nonprofit private organizations, or combinations thereof, for research, or demonstration or service programs designed—

(1) to educate parents, children, and community agencies in ways to prevent the abduction or sexual exploitation of children;

(2) to assist in the recovery or tracking of missing children;

(3) to aid communities in the collection of materials which would be useful to parents in the identification of their children;

(4) to increase knowledge of the psychological consequences, on both parents and children, of—

(A) the abduction of a child, both during the period of disappearance and after the child is recovered; and

(B) the sexual exploitation of a child; and

(5) to collect detailed data from selected States or localities on the actual investigative practices utilized by law enforcement agencies in missing children's cases.

(b) In considering grant applications under this part, priority shall be given to applicants who—

(1) have demonstrated ability in—

(A) locating missing children and reuniting them with their families; or

(B) providing other services to missing children or their familes; and

(2) substantially utilize volunteer assistance.

ADVISORY BOARD

SEC. 275. (a) The Administrator shall, within ninety days after the date of enactment of this part, appoint an Advisory Board on Missing Children (hereinafter referred to as the "Advisory Board"), which shall meet periodically. Such Board shall be comprised of

five members of the general public with experience or expertise related to missing children. The Advisory Board shall assist the Administrator in coordinating programs and activities related to missing children which are planned, administered, or assisted by any Federal Agency.

(b) The Advisory Board shall assist in the preparation of the annual comprehensive plan on missing children developed pursuant to section 273(c) and shall submit the first annual plan to the President and Congress not later than eighteen months after the date of enactment of this section.

(c) Members of the Advisory Board shall be entitled, for each day such member is engaged in the actual performance of his or her duties as a member of the Board, to be paid at a rate not in excess of the daily equivalent rate of pay payable to a GS–8 employee under section 5332 of title 5, United States Code, including traveltime. All members of the Board shall be reimbursed for travel (including per diem in lieu of subsistence) as authorized by section 5703 of such title, subsistence, and other necessary expenses incurred by them in the performance of their duties.

CRITERIA FOR GRANTS

SEC. 276. The Administrator, in consultation with the Advisory Board on Missing Children, shall establish annual research, demonstration, and service program priorities for making grants or contracts pursuant to section 274 and, not less than sixty days before establishing such priorities, shall publish in the Federal Register for public comment a statement of such proposed priorities.

* * * * * * *

UNITED STATES CODE

* * * * * * *

TITLE 42—THE PUBLIC HEALTH AND WELFARE

* * * * * * *

CHAPTER 72—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

* * * * * * *

Subchapter II—Programs and Offices

Sec.

* * * * * * *

5617 National Advisory Committee for Juvenile Justice and Delinquency Prevention.

(a) Establishment; membership; qualification; Chairman.

* * * * * * *

5633. State plans.
(a) Requirements.

. . . . . .

(c) Approval by Administrator; compliance with statutory requirements.

. . . . . .

5634. Funding.
(a) Grants and contracts to public and private agencies, organizations, etc.; purpose.

. . . . . .

5651. Institute structure and operation.

. . . . . .

(d) Purpose of Institute.

. . . . . .

5653. Research, demonstration, and evaluation functions of Institute.
5654. Training function of Institute.

. . . . . .

5671. Authorization of appropriations.

. . . . . .

(a) Availability of funds.

. . . . . .

Subchapter III—Runaway and Homeless Youth

. . . . . .

5711. Grants and technical assistance.
(a) Authorization; purposes; amount; priority.
(b) Supplemental grants to runaway centers developing model programs.

. . . . . .

5712. Eligibility; plan requirements.
5713. Approval of applications by Secretary; priority.
5714. Grants to [nonprofit private agencies] *private entities* control over staff and personnel.

. . . . . .

5751. Amounts authorized for programs and activities; consultative and coordinating requirements.

§ 5617. National Advisory Committee for Juvenile Justice and Delinquency Prevention

(a) Establishment; membership; qualification; Chairman

. . . . . .

(2) (member shall be appointed who have special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice, such as juvenile or family court judges; probation, correctional, or law enforcement personnel; representatives of private, voluntary organizations and community-based programs, including youth workers involved with alternative youth programs; and persons with special training or experience in addressing the problems of the family, youth unemployment, school violence and vandalism, and learning disabilities

. . . . . .

§ 5663. State plans

(a) Requirements

• • • • • • • •

(3) provide for an advisory group appointed by the chief executive of the State to carry out the functions specified in subparagraph (F) and to participate in the development and review of the State's juvenile justice plan prior to submission to the supervisory board for final action and (A) which shall consist of not less than 15 and not more than 33 persons who have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice, (B) which shall include locally elected officials, representation of units of local government, law enforcement and juvenile justice agencies such as law enforcement, correction or probation personnel, and juvenile or family court judges, and public agencies concerned with delinquency prevention or treatment such as welfare, social services, mental health, education, special education, or youth services departments, [(C) which shall include representatives of private organizations concerned with delinquency prevention or treatment; concerned with neglected or dependent children; concerned with the quality of juvenile justice, education, or social services for children; which utilize volunteers to work with delinquents or potential delinquents; community-based delinquency prevention or treatment programs; business groups and businesses employing youth, youth workers involved with alternative youth programs, and person with special experience and competence in addressing the problem of school violence and vandalism and the problem of learning disabilities; and organizations which represent employees affected by this chapter,]

(C) which shall include (i) representatives of private organizations, including those with a special focus on maintaining and strengthening the family unit, those concerned with delinquency prevention and treatment and with neglected or dependent children, and those concerned with the quality of juvenile justice, education, or social services for children; (ii) representatives of organizations which utilize volunteers to work with delinquents or potential delinquents; (iii) representatives of community based delinquency prevention or treatment programs; (iv) representatives of business groups or businesses employing youth; (v) youth workers involved with alternative youth programs; and (vi) persons with special experience and competence in addressing the problems of the family, school violence and vandalism, and learning disabilities,

• • • • • • • •

(10) provide that not less than 75 per centum of the funds available to such State under section 5632 of this title, other than funds made available to the State advisory group under section 5632(d) of this title, whether expended directly by the unit of general local government or combination thereof, or

through grants and contracts with public or private agencies, shall be used for advanced techniques in developing, maintaining, and expanding programs and services designed to prevent juvenile delinquency, to divert juveniles from the juvenile justice system, to provide community-based alternatives to confinement in secure detention facilities and secure correctional facilities, to encourage a diversity of alternatives within the juvenile justice system, to establish and adopt juvenile justice standards, and to provide [programs for juveniles] *programs for juveniles, including those processed in the criminal justice* system, who have committed serious crimes, particularly programs which are designated to improve sentencing procedures, provide resources necessary for informed dispositions, and provide for effective rehabilitation [.], and to facilitate the coordination of services between the juvenile justice and criminal justice systems.

These advanced techniques include—

* * * * * * *

(F) expanded use of probation and recruitment and training of probation officers, other professional and paraprofessional personnel and volunteers to work effectively with youth *and their families;*

* * * * * * *

(H) statewide programs through the use of subsidies or other financial incentives to units of local government designed to—

* * * * * * *

(iii) establish and adopt, based upon the recommendations of the Advisory Committee, standards for the improvement of juvenile justice within the State; [or]

(iv) increase the use of nonsecure community-based facilities and discourage the use of secure incarceration and detention; *or*

(v) involve parents and other family members in addressing the delinquency-related problems of juveniles;

* * * * * * *

(J) projects designed both to deter involvement in illegal activities and to promote involvement in lawful activities on the part of [juvenile gangs and their members] *gangs whose membership is substantially composed of juveniles;*

* * * * * * *

(17) provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen and maintain the family units of delinquent and other youth to prevent juvenile delinquency. Such approaches should include the involvement of grandparents or other extended family members when possible and appropriate;

[(17)] *(18) provided for procedures to be established for protecting the rights of recipients of services and for assuring ap-*

propriate privacy with regard to records relating to such services provided to any individual under the State plan;

[(18)] *(19) provide that fair and equitable arrangements are made to protect the interests of employees affected by assistance under this chapter. Such protective arrangements shall, to the maximum extent feasible, include, without being limited to, such provisions as may be necessary for—*

* * * * * * *

[(19)] *(20) provide for such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this subchapter;'*

[(20)] *(21) provide reasonable assurance that Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such State, local, and other non-Federal funds;*

[(21)] *(22) provide that the State criminal justice council will from time to time, but not less often than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, which it considers necessary; and*

[(22)] *(23) contain such other terms and conditions as the Administrator may reasonably prescribe to assure the effectiveness of the programs assisted under this subchapter.*

* * * * * * *

[(12) (A) provide within three years after submission of the initial plan that juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult or offenses which do not constitute violations of valid court orders, or such nonoffenders as dependent or neglected children, shall not be placed in secured detention facilities or secure correctional facilities; and]

(12) (A) provide within three years after submission of the initial plan that—

(i) juvenile nonoffenders such as dependent or neglected children shall not be placed in secure detention facilities or secure correctional facilities; and

(ii) juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult or offenses which do not constitute violations of valid court orders shall not be placed in secure detention facilities or secure correctional facilities except that the short-term emergency placement in a public or private secure juvenile residential facility of certain of these juveniles may be ordered by the court if the court finds based on clear and convincing evidence that: (a) the physical safety of the juvenile is in serious danger; and (b) there is no less restric-

tive alternative placement available which would adequately safeguard the welfare of the juvenile, provided that a judicial, determination is held within 24 hours and that the juvenile is either released or diverted to a non-secure community-based alternative within 5 calendar days;

(B) provide that pursuant to subparagraph (A)(ii) the State advisory group must evaluate the secure juvenile residential facilities in the State which are available to carry out the purposes of this subparagraph every six months to determine whether they provide acceptable shelter care and services to safeguard the welfare of these juveniles; juveniles shall not be held pursuant to subparagraph (A)(ii) in a facility which is not deemed appropriate for such a purpose.

[B**]** *(C) provide that the State shall submit annual reports to the Administrator containing a review of the progress made by the State to achieve the deinstitutionalization of juveniles described in subparagraph (A)* **[**and**]**, *a review of the progress made by the State to provide that such juveniles, if placed in facilities, are placed in facilities which (i) are the least restrictive alternatives appropriate to the needs of the child and the community; (ii) are in reasonable proximity to the family and the home communities of such juveniles; and (iii) provide the services described in section 5603(1) of this title, and a report on the number of juveniles held under subparagraph (A)(ii), including the length of confinement and final case disposition;*

* * * * * * *

(c) Approval by Administrator; compliance with statutory requirements

The Administrator shall approve any State plan and any modification thereof that meets the requirements of this section. Failure to achieve compliance with the requirement of subsection (a)(12)(A) of this section within the three-year time limitation shall terminate any State's eligibility for funding under this subpart unless the Administrator determines that the State is in substantial compliance with the requirement, through achievement to deinstitutionalization of not less than 75 per centum of such juveniles or through removal of 100 percent of such juveniles from secure correctional facilities, and has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance within a reasonable time not exceeding two additional years. Failure to achieve compliance with the requirements of subsection (a)(14) of this section within the 5-year time limitation shall terminate any State's eligibility for funding under this subpart, unless the Administrator determines that (1) the State is in substantial compliance with such requirements through the achievement of not less than 75 percent removal of juveniles from jails and lockups for adults; and (2) the State has made, through appropriate executive or legislative action, an unequivocal commitment

to achieving full compliance within a reasonable time, [not to exceed 2 additional years] *not to exceed 3 additional years.*

* * * * * * *

§ 5634. Funding

(a) Grants and contracts to public and private agencies, organizations, etc.; purpose

(11) develop and implement programs relating to juvenile deliquency and learning disabilities, incuding on-the-job training programs to assist law enrofcement personnel and juvenile justice personnel to more effectively recognize and provide for learning disabled and other hendicapped juveniles; [and]

(12) develop and implement special emphasis prevention and treatment programs relating to juveniles, *including those processed in criminal justice system,* who commit serious crimes[.] *and facilitate the coordination of services between the juvenile and criminal justice systems; and*

(13) develop and implement programs designed to deter involvement in illegal activities or to promote involvement in lawful activities on the part of gangs whose membership is substantially composed of juveniles.

* * * * * * *

§ 5651. Institute structure and operation

* * * * * * *

(d) Purpose of institute

[It shall be purpose of the Institute to provide a coordinating center for the collection, preparation, and dissemination of useful data regarding the treatment and control of juvenile offenders, and it shall also be the purpose of the Institute to provide training for representives of Federal, State, and local law enforcement officers, teachers, and other educational personnel, juvenile welfare workers, juvenile and judicial personnel, probation personnel, correctional personnel and other persons, including lay personnel, including persons associated with law-related education programs youth workers, and representatives of private youth agencies and organizations, connected with the treatment and control of juvenile offenders.]

It shall be the purpose of the Institute to provide—

(1) a coordinating center for the collection, preparation, and dissemination of useful data regarding the prevention and treatment of juvenile delinquency; and

(2) appropriate training (including training designed to strengthen and maintain the family unit) for representatives of Federal, State, local law enforcement officers, teachers and special education personnel, family counselors, child welfare worker, juvenile judges and judicial personnel, probation personnel, correctional personnel (including volumteer lay personnel), persons associated with law-related education, youth workers, and representative of private agencies and organizations

with specific experience in the prevention and treatment of juvenile delinquency.

* * * * * * *

§ 5653. Research, demonstration, and evaluation functions of Institute

* * * * * * *

(5) prepare, in cooperation with educational institutions, Federal, State, and local agencies, and appropriate individuals and private agencies, such studies as it considers to be necessary with respect to the prevention and treatment of juvenile delinquency and related matters, including—*(A)* recommendations designed to promote effective prevention and treatment, such as assessments regarding the role of family violence, sexual abuse or exploitation and media violence and delinquency, the improper handling of youth placed in one State by another State, the possible ameliorating roles of [recreation and] *familiar relationships, recreation,* and the arts, and the extent to which youth in the juvenile system are treated differently on the basis of sex and the ramifications of such practices;

(B) an examination of the treatment of juveniles processed in the criminal justice system; and

(C) recommendations as to effective means for detering involvement in illegal activities or promoting involvement in lawful activities on the part of gang whose membership is substantially composed of juveniles.

* * * * * * *

§ 5654. Training function of Institute

* * * * * * *

(1) develop, conduct, and provide for training programs for the training of professional, paraprofessional, and volunteer personnel, and other persons who are or who are preparing to work with juveniles [and juvenile offenders], *juvenile offenders, and their families;*

* * * * * * *

§ 5711. Grants and technical assistance

(a) Authorization; purposes; amount; priority

The Secretary is authorized to make grants and to provide technical assistance and short-term training to States, localities and [nonprofit private agencies and coordinated networks of such agencies] *private entities and coordinated networks of such entities* in accordance with the provisions of this part. Grants under this part shall be made equitably among the States based upon their respective populations of youth under 18 years of age for the purpose of developing local facilities to deal primarily with the immediate needs of runaway youth or otherwise homeless youth, and their families, in a manner which is outside the law enforcement structure and juvenile justice system. The size of such grant shall be determined by the number of such youth in the community and the

existing availability of services. Grants also may be made for the provision of a national communications system for the purpose of assisting runaway and homeless youth in communicating with their families and with service providers. Among applicants priority shall be given to private organizations or institutions which have had past experience in dealing with such youth *and their families.*

(b) Supplemental grants to runaway centers developing model programs

The Secretary is authorized to provide supplemental grants to runaway centers which are developing, in cooperation with local juvenile court and social service agency personnel, model programs designed to provide assistance to juveniles who have repeatedly left and remained away from their homes or from any facilities in which they have been placed as the result of an adjudication *and to the families of such juveniles.*

* * * * * * *

§ 5712. Eligibility; plan requirements

* * * * * * *

(b) In order to qualify for assistance under this part, an applicant shall submit a plan to the Secretary meeting the following requirements and including the following information. Each center—

* * * * * * *

(5) shall develop an adequate plan for aftercare counseling involving runaway youth and their [parents] *families* within the State in which the runaway center is located and for assuring, as possible, that aftercare services will be provided to those children who are returned beyond the State in which the runaway center is located;

(6) shall keep adequate statistical records profiling the children and [parents] *family members* which it serves, except that records maintained on individual runaway youths shall not be disclosed without the consent of the individual youth and parent or legal guardian to anyone other than another agency compiling statistical records or a government agency involved in the disposition of criminal charges against an individual runaway youth, and reports or other documents based on such statistical records shall not disclose the identity of individual runaway youths;

* * * * * * *

§ 5713. Approval of application by Secretary; priority

An application by a State, locality, or [nonprofit private agency] *private entity* for a grant under this part may be approved by the Secretary only if it is consistent with the applicable provisions of this part and meets the requirements set forth in section 5712 of this title. Priority shall be given to grants smaller than $150,000. In considering grant applications under this part, priority shall be given to organizations which have a demonstrated experience in the provision of service to runaway and homeless youth and their families.

§ 5714. Grants to [nonprofit private agencies] *private entities*; control over staff and personnel

Nothing in this part shall be construed to deny grants to [nonprofit private agencies] *private entities* which are fully controlled by private boards or persons but which in other respects meet the requirements of this part and agree to be legally responsible for the operation of the runaway house. Nothing in this part shall give the Federal Government control over the staffing and personnel decisions of facilities receiving Federal funds.

* * * * * * *

§ 5751. Amounts authorized for programs and activities; consultative and coordinating requirements

(a) To carry out the purposes of part A of this subchapter there is authorized to be appropriated for each of the fiscal years ending [September 30, 1981, September 30, 1982, September 30, 1983, and] September 30, 1984 , *September 30, 1984, September 30, 1986, September 30, 1987, and September 30, 1988* the sum of $25,000,000.

○

BLANK PAGE